

# TEXAS JUDICIAL SYSTEM

## SUBJECT-MATTER JURISDICTION OF THE COURTS

### INTRODUCTION

When a question arises in Texas concerning the subject matter jurisdiction of a given court, the inquiry can be far more complex than might be immediately apparent. An understanding of the basic structure of the court system and of the system's general jurisdictional scheme will not necessarily be sufficient to assure a correct answer to the question. Even a cursory glance at the section of this document which addresses specialized jurisdiction of the various levels of courts is enough to make the point vividly. As the court system continues to expand and evolve, additional layers of complexity are appearing. Some threshold jurisdictional issues have been unresolved for almost 30 years. Thus, the jurisdictional scheme of courts in Texas is a "crazy quilt" of more exceptions than rules.

This document is intended to serve as a resource and a guide.

### UPDATES

The 81<sup>st</sup> Legislature created the following new district courts: **Bexar County** – 436<sup>th</sup> (10-1-09), 437<sup>th</sup> (12-15-09), and 438<sup>th</sup> (9-1-10); **Denton County** – 431<sup>st</sup> (1-1-11); **Midland County** – 441<sup>st</sup> (9-1-09); **Rockwall County** – 439<sup>th</sup> (11-1-10); and **Tarrant County** – 432<sup>nd</sup> (9-1-09). New county courts at law were created as follows: **Bexar County** – No. 13 (9-1-09), No. 14 (9-1-09), and No. 15 (9-1-09); **Bosque County** – CCL (10-1-09); **Fannin County** – CCL (9-1-09); **Hidalgo County** – No. 7 (9-1-11), and No. 8 (9-1-12); and **Navarro County** – CCL – (1-1-11 or earlier date as determined by commissioners court.

The 280<sup>th</sup> District Court in **Harris County** is now the designated district court for domestic violence cases in that county. In **Hunt County** and in **Van Zandt County**, the county courts at law now have concurrent jurisdiction with the district court in felony cases for arraignments, pretrial hearings, guilty pleas, jury trials on assignment by district judge, Class A and B misdemeanor cases, family law matters, juvenile matters, probate matters, appeals from the justice and municipal courts, and civil cases in which the matter in controversy does not exceed \$200,000. In **McLennan County**, the district courts now have concurrent jurisdiction with the county court and statutory county courts in misdemeanor cases. In **Tarrant County**, the following district courts are now required to give preference to civil matters: 17<sup>th</sup>, 48<sup>th</sup>, 67<sup>th</sup>, 96<sup>th</sup>, 141<sup>st</sup>, 153<sup>rd</sup>, and 236<sup>th</sup>. In **Hood County**, an additional Justice of the Peace Court has been established. Effective 1/1/10 the 6<sup>th</sup> District Court will no longer serve Fannin County. It will continue to serve Lamar and Red River counties. Effective 1/1/10 the 336<sup>th</sup> District Court will no longer serve Grayson County. It will continue to serve Fannin County.

### OVERVIEW

Jurisdiction of the various levels of courts in Texas is established by constitutional provision and by statute. Statutory jurisdiction is established by general statutes providing jurisdiction for all courts on a particular level, as well as by the statutes which establish individual courts.

Thus, to determine the jurisdiction of a particular court, recourse must be had first to the Constitution, second to the general statutes establishing jurisdiction for that level of court, third to the specific statute authorizing the establishment of the particular court in question, fourth to statutes creating other courts in the same county (whose jurisdictional provisions may affect the court in question), and fifth to statutes dealing with specific subject matters (such as the Family Code, which requires, for example, that judges who are lawyers hear appeals from actions by non-lawyer judges in juvenile cases.)

The basic structure of the present court system of Texas was established by an 1891 constitutional amendment. The amendment established the Supreme Court as the highest state appellate court for civil matters, and the Court of Criminal Appeals as the highest state appellate court for criminal matters. There are 14 intermediate courts of appeals. These courts exercise intermediate appellate jurisdiction in civil cases and criminal cases. However, appeals of death sentences in capital cases are taken from the district court directly to the Court of Criminal Appeals.

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Appellate courts do not try cases, have jurors, or hear witnesses. Rather, they review actions and decisions of the lower courts on questions of law or allegations of procedural error. In carrying out this review, the appellate courts are usually restricted to the evidence and exhibits presented in the trial court.

The trial court structure in Texas has several different levels, each level handling different types of cases. The trial courts are those courts in which witnesses are heard, testimony is received, exhibits are offered into evidence, and a verdict is rendered. In a civil case, the verdict determines which party to the lawsuit prevails; in a criminal case, the verdict determines whether the defendant is guilty or not guilty of the crime alleged. Defendants in criminal cases and the parties in civil lawsuits have the right to a trial by a jury of either six or twelve citizens. Except in capital murder cases, the parties also have the right to waive a trial by jury and have the judge presiding over the case make the final determination. Generally, determinations made in the trial courts can be appealed to the appellate courts for review.

The state trial court of general jurisdiction is known as the district court. The geographical area served by each district court is established by the specific statute creating that court and does not necessarily correspond to the area served by any previously established court. Each court has one judge.

The county-level courts consist of the “constitutional” county courts, the “statutory” county courts, and the “statutory” probate courts.

The Texas Constitution provides for a county court in each county, presided over by the county judge. Thus, these courts are the “constitutional” county courts. The county judge also serves as head of the county commissioners’ court, the governing body of the county.

Growth in population and volume of cases has led the Legislature to establish “statutory” county courts (called county courts at law) in many of the more populous counties in order to aid the constitutional county court with its judicial functions. Similarly, the “statutory” probate courts have been established by the Legislature in 10 counties to help address increasing numbers of probate matters.

The Texas Constitution authorizes not less than one nor more than 16 justices of the peace in each county. These courts also serve as small claims courts.

The Legislature has created municipal courts in each incorporated city of the State. In lieu of a municipal court created by the legislature, municipalities may choose to establish municipal courts of record. Municipal courts have original and exclusive jurisdiction over criminal violations of certain municipal ordinances and airport board rules, orders or resolutions that do not exceed \$2,500 in some cases and \$500 in others and concurrent criminal jurisdiction with the justice of the peace courts over state law violations, limited to the geographical confines of the municipality.

Trials in the justice of the peace and municipal courts, other than municipal courts of record, are not of record, and appeals therefrom are by trial *de novo* to the county court, except in certain counties, as noted later, where the appeal is to a county court at law or to a district court. When an appeal is by trial *de novo*, the case is tried again in the higher court, just as if the original trial had not occurred. Appeals from municipal courts of record are generally heard in the county criminal courts, county criminal courts of appeal or municipal courts of appeal.

The State provides full funding for the Supreme Court and the Court of Criminal Appeals. It provides a base salary and some expenses for the appellate and district judges of Texas. Most counties supplement the base salary for district courts and courts of appeals. Counties pay the costs of “constitutional” county courts, county courts at law, justice of the peace court, and the operating costs of district courts except for the base salary of the judge. The cities finance the operation of municipal courts.

### **APPELLATE COURTS**

#### **THE SUPREME COURT**

In 1836, the Supreme Court of Texas was first established by the Constitution of the Republic of Texas, which

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vested the judicial power of the Republic in "...one Supreme Court and such inferior courts as the Congress may establish." This Court was re-established by each successive constitution adopted throughout the course of Texas history. The various constitutions and amendments thereto, however, provided for different numbers of judges to sit on the Court and different methods for the selection of the judges. The Constitution of 1845 provided that the Supreme Court consist of a chief justice and two associate justices. The Constitution of 1866 provided for five justices, and the Constitution of 1869 reverted to a three-judge court; the Constitution of 1873 increased the number to five, and the Constitution of 1876 again reduced the membership to three. To aid the three justices in disposing of the ever increasing workload, the Legislature created two "Commissions of Appeals," each to consist of three judges appointed by the Supreme Court. This system, begun in 1920, continued until the adoption of the constitutional amendment of 1945 which abolished the two Commissions of Appeals and increased the number of justices on the Supreme Court to nine, the present number.

A constitutional amendment adopted in 1980 provides:

The Supreme Court shall exercise the judicial power of the state except as otherwise provided in this Constitution. Its jurisdiction shall be coextensive with the limits of the State and its determinations shall be final except in criminal law matters. Its appellate jurisdiction shall be final and shall extend to all cases except in criminal law matters and as otherwise provided in this Constitution or by law.

Thus, the Supreme Court of Texas has statewide final appellate jurisdiction in most civil and juvenile cases. The Supreme Court is empowered to make and enforce all necessary rules of civil trial practice and procedure, evidence, and appellate procedure, and to promulgate rules of administration to provide for the efficient administration of justice in the State. A constitutional amendment effective January 1, 1986, gave the Supreme Court and the Court of Criminal Appeals jurisdiction to answer questions of state law certified from a federal appellate court. The Supreme Court has original jurisdiction to issue writs and to conduct proceedings for the involuntary retirement or removal of judges.

The Supreme Court is composed of one chief justice and eight justices, who are elected in partisan elections on a statewide basis for six-year terms of office. Vacancies between elections are filled by gubernatorial appointment with the advice and consent of the State Senate, until the next general election. To be eligible to serve as a justice of this court, a person must be licensed to practice law in this State, be a citizen of the United States and of the State of Texas, be at least 35 years of age, and have been a practicing lawyer, or a lawyer and judge of a court of record together, for at least ten years.

In addition to its major responsibilities of hearing oral arguments, deciding cases appealed to it, and writing opinions, the Supreme Court has many administrative duties placed upon it by the Legislature to ensure the efficient administration of justice by the Texas judicial system. These duties include: (1) promulgating the Rules of Civil Procedure for the Texas judicial system (Gov't Code §22.004); (2) promulgating rules of administration for the Texas judicial system (Gov't Code §72.024); (3) equalizing the dockets of the 14 courts of appeals (Gov't Code §73.001); (4) promulgating the rules of procedure for the Commission on Judicial Conduct, and disciplining judges or removing judges from office (Gov't Code, Ch. 33, art. V, sec.1-a); (5) supervising the operations of the State Bar of Texas and the rules and regulations for the admission, discipline, supervision, and disbarment of lawyers, and approving the law schools of the State (Gov't Code, Ch. 81); (6) promulgating the rules for the operation of the Court Reporters Certification Board and the disciplinary rules enforced by this Board (Gov't Code §52.002), and (7) issuing orders to modify or suspend procedures for the conduct of court proceedings in the event of a disaster (Gov't Code §§22.035, 74.093(c), and 418.002).

The Chief Justice has the responsibility to: (1) confer with the presiding judges of the administrative judicial regions to promote the prompt dispatch of judicial business (Gov't Code §74.001); (2) assign judges between administrative judicial regions (Gov't Code §74.057); (3) assign retired appellate justices to the various courts of appeals on a temporary basis (Gov't Code §74.003); (4) deliver a "State of the Judiciary" message at the commencement of each regular session of the Legislature (Gov't Code §21.004); and (5) ensure that the Supreme Court executes and implements its administrative duties and responsibilities (Gov't Code §74.006).

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### **THE COURT OF CRIMINAL APPEALS**

To relieve the Supreme Court of some of its caseload, the Constitution of 1876 created the Court of Appeals, composed of three elected judges, with appellate jurisdiction in all criminal cases and in those civil cases tried by the county courts. The judiciary article that was created by the constitutional amendment of 1891 changed the name of this court to the Court of Criminal Appeals and limited its jurisdiction to appellate jurisdiction in criminal cases only.

A constitutional amendment adopted in 1980 provides:

The Court of Criminal Appeals shall have final appellate jurisdiction coextensive with the limits of the State, and its determination shall be final, in all criminal cases of whatever grade, with such exceptions and under such regulations as may be provided in this Constitution or as prescribed by law.

The jurisdiction of the Court of Criminal Appeals extends to criminal cases heard by the intermediate courts of appeals and directly from the trial courts in all cases in which the death penalty has been imposed. The Court of Criminal Appeals (and the Supreme Court) have jurisdiction to answer questions of state law certified from a federal appellate court. In addition, the Legislature has authorized the Court of Criminal Appeals to promulgate rules of evidence and appellate procedure for criminal cases.

The Court of Criminal Appeals, as originally established, was composed of three judges. As its workload increased, the Legislature granted it the authority to appoint commissioners to aid in the disposition of pending cases. The number of judges on the Court was increased to five by a constitutional amendment adopted in 1966, and was again increased to nine by another constitutional amendment adopted in 1977.

Today, the Court of Criminal Appeals consists of a presiding judge and eight additional judges, who must have the same qualifications, and are elected in the same manner, as the justices of the Supreme Court.

### **THE COURTS OF APPEAL**

The first intermediate appellate court in Texas was created by the Constitution of 1876, which created a Court of Appeals with appellate jurisdiction in all criminal cases and in all civil cases originating in the county courts. However, by 1891, the docket of the Supreme Court had become so crowded that it became apparent that other changes were necessary to expedite the disposition of appellate cases. Thus, the amendment of 1891 converted the Court of Appeals into the Court of Criminal Appeals and authorized the Legislature to establish intermediate courts of civil appeals located at various places throughout the State. The purpose of this amendment was to preclude the large quantity of civil litigation from further congesting the docket of the Supreme Court, while at the same time providing for a more convenient and less expensive system of intermediate appellate courts for civil cases. Under this authority, the Legislature has divided the State into 14 court of appeals districts and has established a court of appeals in each.

Courts of appeals are now located in the following cities: Amarillo, Austin, Beaumont, Corpus Christi/Edinburg, Dallas, Eastland, El Paso, Fort Worth, Houston (two courts), San Antonio, Texarkana, Tyler, and Waco.

Each court of appeals has jurisdiction of appeals from the trial courts located in its respective district. The appeals heard in these courts are based upon the "record" (a written transcription of the testimony given, exhibits introduced, and the documents filed in the trial court) and the written and oral arguments of the appellate lawyers. The courts of appeals do not receive testimony or hear witnesses in considering the cases on appeal.

Each of the courts of appeals has at least three judges--a chief justice and two other justices. However, the Legislature is empowered to increase this number whenever the workload of an individual court requires additional judges. There are now 80 judges serving on the 14 intermediate courts of appeals. The Dallas Court of Appeals has 13 justices, the two courts located in Houston (the First and the Fourteenth) each have nine justices, the courts

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located in Fort Worth and San Antonio each have seven, the courts located in Austin and Corpus Christi each have six, the courts located in Amarillo and Beaumont each have four, and the remaining courts each retain the constitutional minimum number of three.

Judges of these courts are elected in partisan elections for six-year terms of office by the voters in their own districts. They must have the same qualifications for office as the justices of the Supreme Court of Texas.

### **TRIAL COURTS**

The trial courts are those courts in which witnesses are heard, testimony is received, exhibits are offered into evidence, and a verdict is rendered. In a civil case, the verdict determines which party to the lawsuit prevails; in a criminal case, the verdict determines whether the defendant is guilty or not guilty of the crime alleged. Defendants in criminal cases and the parties in civil lawsuits have the right to a trial by a jury of either six or twelve local citizens. Except in capital murder cases, the parties have the right to waive a trial by jury and have the judge presiding over the case make the final determination. Generally, determinations made in the trial courts can be appealed to the appellate courts for review.

The trial court structure in Texas has several different levels, each level handling different types of cases. The state trial court of general jurisdiction is known as the district court. The county-level courts consist of the "constitutional" county courts, the "statutory" county courts, and the "statutory" probate courts. In addition, there are the municipal courts, located in each incorporated city of the State, and the justice of the peace courts, located in precincts of each county of the State.

### **DISTRICT COURTS**

The district courts are the primary trial courts in Texas, the successor to the common law *nisi prius* courts. The Constitution of the Republic provided for not less than three nor more than eight district courts, each having a judge elected by a joint ballot of both houses of Congress for a term of four years. Most constitutions of the State continued the district courts but provided that the judges were to be elected by the qualified voters. (The exceptions were the Constitutions of 1845 and 1861 which provided for the appointment of judges by the Governor with confirmation by the Senate.) All of the constitutions have provided that the judges of these courts must be chosen from defined districts (as opposed to statewide election).

District courts are courts of general jurisdiction. A constitutional amendment adopted effective in November 1985 amends Article V, Section 8 of the Texas Constitution, in pertinent part, as follows:

District Court jurisdiction consists of exclusive, appellate, and original jurisdiction of all actions, proceedings, and remedies, except in cases where exclusive, appellate, or original jurisdiction may be conferred by this Constitution or other law on some other court, tribunal, or administrative body.

This provision, while it extends a district court's potential jurisdiction to "all actions," also makes such jurisdiction relative in that the court's jurisdiction excludes any matters in which exclusive, appellate, or original jurisdiction is conferred by law upon some other court. For this reason, while one can speak of the "general" jurisdiction of a district court, the actual jurisdiction of any specific court will always be limited by the constitutional or statutory provisions that confer exclusive, original, or appellate jurisdiction on other courts serving the same county or counties.

Taking into account the various constitutional and statutory provisions which confer general jurisdiction on other levels of court, it can be said that district courts generally have the following jurisdiction: original jurisdiction in all criminal cases of the grade of felony, and misdemeanors involving official misconduct; cases of divorce; suits for title to land or enforcement of liens on land; contested elections; suits for slander or defamation; and suits on behalf of the State for penalties, forfeitures and escheat.

The district courts also have jurisdiction in civil matters with a minimum monetary limit but no maximum limit. The amount of the lower limit is currently unclear. The courts of appeals have split opinions on whether the

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minimum amount in controversy must exceed \$200 or \$500. Prior to 1985, a minimum monetary limit of \$500 was required by Article V, Section 8 of the Texas Constitution and by article 1906 of the Revised Civil Statutes. In 1985, article 1906 was codified in the Government Code. The lower limit was deleted from the codified version in an apparent attempt to eliminate the duplication in the code and the constitution. However, the constitution also was amended in 1985, and the \$500 limit was deleted.

Two courts of appeals have indicated that the minimum amount is \$200 because district courts have jurisdiction over matters unless another court has exclusive jurisdiction over the matter. Since justice courts have exclusive jurisdiction in civil matters under \$200, they stated that this is the lower limit of a district court's jurisdiction. See *Arteaga v. Jackson*, 994 S.W.2d 342, 342 (Tex. App. - Texarkana 1999, pet. denied) and *Arnold v. West Bend Co.*, 983 S.W.2d 365, 366 n.1 (Tex. App. - Houston [1st Dist.] 1998, no pet.). Another court of appeals has concluded that the codification of article 1906 was not intended to be a substantive change and thus, the limit is \$500. See *Chapa v. Spivey*, 999 S.W.2d 833, 835-836 (Tex. App. - Tyler 1999, no pet.).

Although the Supreme Court has discussed the conflict regarding the monetary jurisdictional minimum, it did not rule on the matter since it was not essential to the court's decision in the case. See *Peek v. Equipment Service Co.*, 779 S.W.2d 802, 804 n. 4 (Tex. 1989).

In those counties having statutory county courts at law, the district courts generally have exclusive jurisdiction in civil cases wherein the amount in controversy exceeds \$100,000 and concurrent jurisdiction with the statutory county courts at law in cases where the amount in controversy exceeds \$500 but is \$100,000 or less.

The district courts may hear contested matters in probate cases and have general supervisory control over commissioners' courts. In addition, district courts have the power to issue writs of habeas corpus, mandamus, injunction, certiorari, sequestration, attachment, garnishment, and all writs necessary to enforce their jurisdiction.

Appeals from judgments of the district courts are to the court of appeals having jurisdiction over the locale of the district court.

There are currently 454 separate district-level courts created by the Legislature, although not all have become operational. Each is identified by a separate number, each having its own judge elected by the voters of the judicial district. In a number of locations, the geographical jurisdiction of two or more district courts is overlapping.

A 1985 constitutional amendment established a Judicial Districts Board to reapportion Texas judicial districts, subject to legislative approval. The same amendment also allows for more than one judge per judicial district.

Most district courts exercise criminal and civil jurisdiction, but in the metropolitan areas there is a tendency for the courts to specialize in either civil, criminal, or family law matters. In some localities, the courts that exercise criminal jurisdiction exclusively are designated criminal district courts. A limited number of district courts also exercise the subject-matter jurisdiction normally exercised by county courts.

### DISTRICT COURTS WITH SPECIALIZED JURISDICTION

The Supreme Court has repeatedly held that the Legislature cannot reduce the constitutional jurisdiction of a district court. *Lord v. Clayton*, 163 Tex. 62, 352 S.W.2d 718 (1961); *Ex Parte Richards*, 137 Tex. 520, 155 S.W.2d 597 (1941); *Reasonover v. Reasonover*, 122 Tex. 512, 58 S.W. 2d 817 (1933); *St. Louis S. W. Ry. v. Hall*, 98 Tex. 480, 85 S.W. 786 (1905). Accord, *Zamora v. State*, 508 S.W.2d 819 (Tex. Crim App. 1974). See also, *Ward v. State*, 523 S.W.2d 681, 682 (Tex. Crim. App. 1975); *Castro v. State*, 124 Tex. Crim. 13, 60 S.W.2d 211 (1933); and dissenting opinion in *Ex Parte Bazemore*, 430 S.W.2d 205 (Tex. Crim. App. 1968).

In *St. Louis S.W. Ry. v. Hall*, the Supreme Court stated the rule as follows: "If the Legislature did enough to bring into active existence a district court, it was at once clothed with the powers conferred by the Constitution upon such courts, and any attempts in the act to unduly limit those powers must be treated as futile." 85 S.W. at 788. In *Lord v. Clayton*, the Supreme Court held that, although the statute creating the 136th District Court of Jefferson County purportedly limited its jurisdiction to civil cases only, and other legislation purported to give exclusive

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jurisdiction in criminal cases to the Criminal District Court of Jefferson County, the 136th Court was nevertheless a constitutional district court with full power to impanel a grand jury, receive an indictment, and try the accused.

A new facet has been added to this jurisdictional issue by the 1985 amendment of Article V, Section 8 of the Constitution which now grants the district courts jurisdiction over all matters “except in cases where...jurisdiction may be conferred by this constitution or other law on some other court...”.

Although the Legislature has not been able to divest a regular district court of any of its constitutional jurisdiction, the Legislature may, under its constitutional authority to create “other courts” (Tex. Const. art. V, sec. 1), establish special “district-level” courts with limited jurisdiction. See *Jordan v. Crudginton*, 231 S.W.2d 641 (Tex. 1950) (regarding the Court of Domestic Relations of Potter County); *Ex Parte Richards*, 137 Tex. 520, 155 S.W.2d 597 (1941) (regarding the Criminal District Court of Willacy County).

**One “Criminal District Court” was created with jurisdiction limited to criminal, divorce, dependent and delinquent children, adoption, and civil habeas corpus proceedings:**

|   |        |   |
|---|--------|---|
| Criminal District Court of Jefferson County ..... | 24.920 | 1 |
|---|--------|---|

As will be noted later, most special “Criminal District Courts” have jurisdiction concurrent with county-level courts in criminal matters.

While the courts have ruled that the Legislature may not limit the jurisdiction of regular district courts, the statutes frequently express the intention that certain district courts give primary attention to only a portion of those matters over which they have jurisdiction.

The 65th Legislature, in 1977, converted all functioning domestic relations and special juvenile courts to district courts of general jurisdiction. However, these courts have primary responsibility for cases involving family law matters, including adoptions, birth records, divorce and marriage annulment, child welfare, custody, support and reciprocal support, dependency, neglect and delinquency, parent and child, and husband and wife. Section 24.601, Tex. Gov’t Code. Section 24.601 does not limit other district courts’ jurisdiction nor relieve them of responsibility for handling cases involving family law matters. **Courts with primary responsibility for handling family law matters are known as "Family District Courts." There are now 33 such courts:**

|                                    |                |   |
|------------------------------------|----------------|---|
| 65th El Paso .....                 | 24.601, 24.635 | 2 |
| 300th Brazoria .....               | 24.601, 24.608 |   |
| 301st Dallas .....                 | 24.601, 24.609 |   |
| 302nd Dallas .....                 | 24.601, 24.610 |   |
| 303rd Dallas .....                 | 24.601, 24.611 |   |
| 304th Dallas .....                 | 24.601, 24.612 |   |
| 305th Dallas .....                 | 24.601, 24.613 |   |
| 306th Galveston .....              | 24.601, 24.614 |   |
| 307th Gregg .....                  | 24.601, 24.615 |   |
| 308 <sup>th</sup> Harris .....     | 24.601, 24.616 |   |
| 309 <sup>th</sup> Harris .....     | 24.601, 24.617 |   |
| 310 <sup>th</sup> Harris .....     | 24.601, 24.618 |   |
| 311 <sup>th</sup> Harris .....     | 24.601, 24.619 |   |
| 312 <sup>th</sup> Harris .....     | 24.601, 24.620 |   |
| 313 <sup>th</sup> Harris .....     | 24.601, 24.621 |   |
| 314 <sup>th</sup> Harris .....     | 24.601, 24.622 |   |
| 315 <sup>th</sup> Harris .....     | 24.601, 24.623 | 2 |
| 316 <sup>th</sup> Hutchinson ..... | 24.601, 24.624 |   |
| 317th Jefferson .....              | 24.601, 24.625 |   |
| 318th Midland .....                | 24.601, 24.626 |   |
| 319th Nueces .....                 | 24.601, 24.627 |   |
| 320th Potter .....                 | 24.601, 24.628 |   |
| 321st Smith .....                  | 24.601, 24.629 |   |
| 322nd Tarrant .....                | 24.601, 24.630 |   |
| 323rd Tarrant .....                | 24.601, 24.631 |   |
| 324th Tarrant .....                | 24.601, 24.632 |   |

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|                                   |                |   |
|-----------------------------------|----------------|---|
| 325th Tarrant .....               | 24.601, 24.633 |   |
| 326 <sup>th</sup> Taylor .....    | 24.601, 24.634 |   |
| 328 <sup>th</sup> Fort Bend ..... | 24.601, 24.636 |   |
| 329 <sup>th</sup> Wharton .....   | 24.601, 24.637 | 2 |
| 330 <sup>th</sup> Dallas .....    | 24.601, 24.638 |   |
| 360 <sup>th</sup> Tarrant .....   | 24.601, 24.639 |   |
| 444 <sup>th</sup> Cameron .....   | 24.640         |   |

**Fourteen district courts are to give preference to family law matters but are not designated as “Family District Courts”:**

|                        |        |   |
|------------------------|--------|---|
| 231st Tarrant .....    | 24.408 |   |
| 233rd Tarrant .....    | 24.410 |   |
| 245th Harris .....     | 24.422 |   |
| 246th Harris .....     | 24.423 |   |
| 247th Harris .....     | 24.424 |   |
| 254th Dallas .....     | 24.431 |   |
| 255th Dallas .....     | 24.432 |   |
| 256th Dallas .....     | 24.433 | 3 |
| 257th Harris .....     | 24.434 |   |
| 279th Jefferson .....  | 24.456 |   |
| 387th Fort Bend .....  | 24.532 |   |
| 388th El Paso .....    | 24.533 |   |
| 393rd Denton .....     | 24.538 |   |
| 418th Montgomery ..... | 24.562 |   |

**One district court is to give preference to civil cases and cases under Title 2 or 5 of the Family Code:**

|                   |                |   |
|-------------------|----------------|---|
| 225th Bexar ..... | 24.403, 24.139 | 4 |
|-------------------|----------------|---|

**One district court is directed by statute to give preference to civil cases and cases under Title 3 of the Family Code:**

|                  |                |   |
|------------------|----------------|---|
| 73rd Bexar ..... | 24.175, 24.139 | 5 |
|------------------|----------------|---|

**One district court is directed by statute to give first preference to family law cases and second preference to criminal cases:**

|                    |        |   |
|--------------------|--------|---|
| 148th Nueces ..... | 24.353 | 6 |
|--------------------|--------|---|

**Another district court is directed to give primary preference to cases under Titles 2, 3 or 5 of the Family Code and secondary preference to criminal cases:**

|                   |                |   |
|-------------------|----------------|---|
| 289th Bexar ..... | 24.466, 24.139 | 7 |
|-------------------|----------------|---|

**One district court is to give preference to family violence and criminal matters:**

|                     |        |   |
|---------------------|--------|---|
| 430th Hidalgo ..... | 24.574 | 8 |
|---------------------|--------|---|

**One district court is to give preference to all family violence cases and cases under the Family Code and Health and Safety Code:**

|                  |        |   |
|------------------|--------|---|
| 406th Webb ..... | 24.551 | 9 |
|------------------|--------|---|

**One district court is designated as the domestic violence district court of its county and is directed, subject to any jurisdictional limitations, to give preference to domestic violence cases, including cases involving: (1) dating violence, as defined by Section 71.0021, Family Code; and (2) family violence, as defined by Section 71.004, Family Code. For purposes of determining the preference, a domestic violence case means: (A) an original application for a protective order under Title 4, Family Code; (B) an original application for a protective order under Title 4, Family Code, that involves both parties and is filed concurrently with an original petition under the Family Code; and (C) any matter involving custody of a minor child if one parent is alleged to have caused the death of another parent and there is a history of domestic violence in the parents’ relationship; and, subject to judicial discretion and resources, the designated domestic violence district court may also hear divorce and custody cases in which a court has made an affirmative finding of**

## SUBJECT-MATTER JURISDICTION OF THE COURTS

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**family violence involving both parties or a protective order has been issued under Title 4, Family Code, involving both parties.**

|   |        |    |
|---|--------|----|
| 280 <sup>th</sup> District Court of Harris County ..... | 24.112 | 10 |
|---|--------|----|

**Nineteen district courts are instructed to give preference to civil cases:**

|  |        |    |
|--|--------|----|
| 17 <sup>th</sup> Tarrant .....           | 24.118 | 11 |
| 48 <sup>th</sup> Tarrant .....           | 24.150 |    |
| 67 <sup>th</sup> Tarrant .....           | 24.169 |    |
| 96 <sup>th</sup> Tarrant .....           | 24.198 |    |
| 103 <sup>rd</sup> Cameron .....          | 24.205 |    |
| 141 <sup>st</sup> Tarrant .....          | 24.352 |    |
| 153 <sup>rd</sup> Tarrant .....          | 24.252 |    |
| 215 <sup>th</sup> Harris .....           | 24.394 |    |
| 236 <sup>th</sup> Tarrant .....          | 24.413 |    |
| 295 <sup>th</sup> Harris .....           | 24.472 |    |
| 298 <sup>th</sup> Dallas .....           | 24.475 |    |
| 333 <sup>rd</sup> Harris .....           | 24.479 |    |
| 334 <sup>th</sup> Harris .....           | 24.480 |    |
| 342 <sup>nd</sup> Tarrant .....          | 24.488 |    |
| 345 <sup>th</sup> Travis .....           | 24.491 |    |
| 348 <sup>th</sup> Tarrant .....          | 24.494 |    |
| 352 <sup>nd</sup> Tarrant .....          | 24.498 |    |
| 408 <sup>th</sup> Bexar .....            | 24.544 |    |
| 438 <sup>th</sup> Bexar (9-1-2010) ..... | 24.582 |    |

**Also, in Bexar County, all civil cases are to be docketed in one of the eleven district courts which do not give preference to criminal cases. (This provision may not be mandatory on the clerk. See *Lord vs. Clayton*, 352 S.W.2d at 722):**

|                   |                |    |
|-------------------|----------------|----|
| 37th Bexar .....  | 24.139         | 12 |
| 45th Bexar .....  | 24.147, 24.139 |    |
| 57th Bexar .....  | 24.159, 24.139 |    |
| 73rd Bexar .....  | 24.175, 24.139 |    |
| 131st Bexar ..... | 24.233, 24.139 |    |
| 150th Bexar ..... | 24.249, 24.139 |    |
| 166th Bexar ..... | 24.263, 24.139 |    |
| 224th Bexar ..... | 24.402, 24.139 |    |
| 225th Bexar ..... | 24.403, 24.139 |    |
| 285th Bexar ..... | 24.462, 24.139 |    |
| 288th Bexar ..... | 24.465, 24.139 |    |

**All tax suits in Webb County shall be assigned to one district court:**

|                 |        |    |
|-----------------|--------|----|
| 49th Webb ..... | 24.151 | 13 |
|-----------------|--------|----|

**Fifty-six district courts are instructed to give preference to criminal cases:**

|                                     |                        |    |
|-------------------------------------|------------------------|----|
| 105th Nueces, Kenedy, Kleberg ..... | 24.207                 | 14 |
| 107th Cameron .....                 | 24.209                 |    |
| 138th Cameron .....                 | 24.240                 |    |
| 144th Bexar .....                   | 24.245, 24.139, 75.013 |    |
| 147th Travis .....                  | 24.248                 |    |
| 175th Bexar .....                   | 24.268, 24.139, 75.013 |    |
| 182nd Harris .....                  | 24.362                 |    |
| 183rd Harris .....                  | 24.363                 |    |
| 184th Harris .....                  | 24.364                 |    |
| 185th Harris .....                  | 24.365                 |    |
| 186th Bexar .....                   | 24.274, 24.139, 75.013 |    |
| 187th Bexar .....                   | 24.366, 24.139, 75.013 |    |
| 194th Dallas .....                  | 24.373                 |    |
| 195th Dallas .....                  | 24.374                 |    |
| 197th Cameron, Willacy .....        | 24.376                 |    |

## SUBJECT-MATTER JURISDICTION OF THE COURTS

*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

|   |                        |    |
|---|------------------------|----|
| 202nd Bowie .....                                     | 24.381                 |    |
| 203rd Dallas .....                                    | 24.382                 |    |
| 204th Dallas .....                                    | 24.383                 |    |
| 205th Culberson, El Paso, Hudspeth .....              | 24.384                 |    |
| 207th Caldwell, Comal, Hays .....                     | 24.386                 |    |
| 208th Harris .....                                    | 24.387                 |    |
| 209th Harris .....                                    | 24.388                 |    |
| 214th Nueces .....                                    | 24.393                 |    |
| 226th Bexar .....                                     | 24.404, 24.139, 75.013 |    |
| 227th Bexar .....                                     | 24.405, 24.139, 75.013 |    |
| 228th Harris .....                                    | 24.406                 |    |
| 230th Harris .....                                    | 24.407                 |    |
| 232nd Harris .....                                    | 24.409                 |    |
| 248th Harris .....                                    | 24.425                 |    |
| 252nd Jefferson .....                                 | 24.429                 |    |
| 262nd Harris .....                                    | 24.439                 |    |
| 263rd Harris .....                                    | 24.440                 |    |
| 265th Dallas .....                                    | 24.442                 |    |
| 282nd Dallas .....                                    | 24.459                 |    |
| 283rd Dallas .....                                    | 24.460                 |    |
| 90th Bexar .....                                      | 24.467, 24.139, 75.013 |    |
| 291st Dallas .....                                    | 24.468                 |    |
| 292nd Dallas .....                                    | 24.469                 |    |
| 297th Tarrant .....                                   | 24.474                 |    |
| 337th Harris .....                                    | 24.483                 | 14 |
| 338th Harris .....                                    | 24.484                 |    |
| 339th Harris .....                                    | 24.485                 |    |
| 351st Harris .....                                    | 24.497                 |    |
| 363rd Dallas .....                                    | 24.508                 |    |
| 371st Tarrant .....                                   | 24.516                 |    |
| 372nd Tarrant .....                                   | 24.517                 |    |
| 377th Victoria .....                                  | 24.522                 |    |
| 390th Travis .....                                    | 24.535                 |    |
| 396th Tarrant .....                                   | 24.541                 |    |
| 399th Bexar .....                                     | 24.544, 75.013         |    |
| 403rd Travis .....                                    | 24.548                 |    |
| 427th Travis .....                                    | 24.548                 |    |
| 445th Cameron .....                                   | 24.589                 |    |
| Criminal District Court No. 4 of Tarrant County ..... | 24.571                 |    |
| 432 <sup>nd</sup> Tarrant .....                       | 24.576                 |    |
| 437 <sup>th</sup> Bexar .....                         | 24.581                 |    |

**One district court is to give primary preference to felony drug cases and associated civil cases emanating from those felony drug cases and secondary preference to other criminal cases and associated civil cases emanating from those criminal cases:**

|   |        |    |
|---|--------|----|
| Criminal District Court No. 1 of El Paso County ..... | 24.908 | 15 |
|---|--------|----|

**Four district courts are to give preference to juvenile matters:**

|                               |        |    |
|-------------------------------|--------|----|
| 386th Bexar .....             | 24.531 | 16 |
| 417th Collin .....            | 24.561 |    |
| 449th Hidalgo .....           | 24.593 |    |
| 436 <sup>th</sup> Bexar ..... | 24.580 |    |

**The 76th Legislature enacted a procedure for the civil commitment of sexually violent predators (Sexually Violent Predators Act; Ch. 841, Health and Safety Code). Civil commitments under Ch. 841, Health and Safety Code may only be filed in the following seven district courts (the 435th is instructed to give preference to these cases):**

|                        |        |    |
|------------------------|--------|----|
| 9th Montgomery .....   | 24.109 | 17 |
| 221st Montgomery ..... | 24.399 |    |

## SUBJECT-MATTER JURISDICTION OF THE COURTS

Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.

|                        |        |    |
|------------------------|--------|----|
| 284th Montgomery ..... | 24.461 | 17 |
| 359th Montgomery ..... | 24.505 |    |
| 410th Montgomery ..... | 24.110 |    |
| 418th Montgomery ..... | 24.562 |    |
| 435th Montgomery ..... | 24.579 |    |

### ISSUES OF CONCURRENT JURISDICTION

The specific statutes creating individual statutory county courts or statutory probate courts often provide that these courts have concurrent jurisdiction with the district court in matters normally exercised by the district court. This jurisdiction may be additional to or different than the concurrent jurisdiction granted to some statutory county courts by H.B. 66, as discussed below.

A "statutory county court" means a county court created by the Legislature. Statutory county courts can, include county courts at law, county criminal courts, county criminal courts of appeals, and county civil courts at law. A statutory county court has jurisdiction over all causes and proceedings, civil and criminal, original and appellate, prescribed by law for county courts. (Gov't Code, Section 25.003(a) In addition to other jurisdiction provided by law, a statutory county court exercising civil jurisdiction concurrent with the constitutional jurisdiction of the county court has concurrent jurisdiction with the district court in: (1) civil cases in which the matter in controversy exceeds \$500 but does not exceed \$100,000, excluding interest, statutory or punitive damages and penalties, and attorney's fees and costs, as alleged on the face of the petition; (2) appeals of final ruling and decisions of the Texas Workers' Compensation Commission, regardless of the amount in controversy. (Gov't Code, Section 25.003 (c) (1) (2)). Except as provided by Government Code, Section 25.003(e), a statutory county court has, concurrent with the county court, the probate jurisdiction provided by general law for county courts. However, in a county that has a statutory probate court, a statutory probate court is the only county court created by statute with probate jurisdiction. (Gov't Code, Section 25.003 (e)) A statutory county court does not have the jurisdiction of a statutory probate court granted statutory probate courts by the Texas Probate Code. (Gov't Code, Section 25.003(f))

A statutory county court or its judge may issue writs of injunction, mandamus, sequestration, attachment, garnishment, certiorari, supersedeas, and all writs necessary for the enforcement of the jurisdiction of the court. It may issue writs of habeas corpus in cases where the offense charged is within the jurisdiction of the court or any court of inferior jurisdiction in the county. A statutory county court or its judge may punish for contempt as prescribed by general law. The judge of a statutory county court has all other powers, duties, immunities, and privileges provided by law for county court judges. The judge of a statutory county court may be delegated authority to hear an application under Section 25.052, 26.07, or 61.312, Alcoholic Beverage Code, but except for this possible delegation, the judge of a statutory county court has no authority over the county's administrative business that is performed by the county judge. (Gov't Code, Section 25.004) A statutory county court does not have jurisdiction over causes and proceedings concerning roads, bridges, and public highways, and the general administration of county business that is within the jurisdiction of the commissioners court of each county. (Gov't Code, Section 25.003(b))

A "statutory probate court" means a statutory court designated as a statutory probate court under Chapter 25, Gov't Code. A statutory probate court, as that term is defined in Section 3(ii) of the Texas Probate Code has: (1) the general jurisdiction of a probate court as provided by the Texas Probate Code; and (2) the jurisdiction provided by law for a county court to hear and determine actions, cases, matters, or proceedings instituted under: (A) Section 166.046, 192.027, 193.007, 552.015, 552.019, 711.004,, or 714.003, Health and Safety Code; (B) Chapter 4 62, Health and Safety Code; or (C) Subtitle C or D, Title 7, Health and Safety Code. A statutory county court exercising probate jurisdiction is **not** a statutory probate court unless it is designated one under Chapter 25, Gov't Code.

While the jurisdiction of these courts is generally carved out of that given to the constitutional county courts, the statutes specify in many instances that certain jurisdiction normally in the district court is to be exercised concurrently by the statutory county court and the district court.

**SUBJECT-MATTER JURISDICTION OF THE COURTS**

*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

**In one instance, the county court at law has concurrent jurisdiction with the district court in all matters:**

|  |         |           |
|--|---------|-----------|
| County Court at Law of Panola County ..... | 25.1852 | <b>18</b> |
|--|---------|-----------|

In 1991, the 72nd Legislature passed H.B. 66, which provided that a statutory county court exercising civil jurisdiction of the county court, with certain exceptions enumerated in the statutes, has concurrent jurisdiction with the district court in civil cases in which the matter in controversy exceeds \$500 but does not exceed \$100,000 (excluding interest, statutory or punitive damages and penalties, and attorney's fees and costs, as alleged on the face of the petition) and appeals of final rulings and decisions of the division of workers' compensation of the Texas Department of Insurance (TDI) regarding workers' compensation claims. Sec. 25.0003, Tex. Gov't Code.

**Fifty-two county courts at law have concurrent jurisdiction with the district court, as discussed above, in appeals of decisions of the division of workers' compensation of TDI and civil cases when the matter in controversy does not exceed \$100,000:**

|  |                 |           |
|--|-----------------|-----------|
| County Court at Law No. 1 of Bell County .....             | 25.0162         | <b>19</b> |
| County Court at Law No. 2 of Bell County .....             | 25.0162         |           |
| County Court at Law No. 3 of Bell County .....             | 25.0162         |           |
| County Court at Law No. 1 of Bexar County .....            | 25.0172         |           |
| County Court at Law No. 2 of Bexar County .....            | 25.0172         |           |
| County Court at Law No. 3 of Bexar County .....            | 25.0172         |           |
| County Court at Law No. 4 of Bexar County .....            | 25.0172         |           |
| County Court at Law No. 5 of Bexar County .....            | 25.0172         |           |
| County Court at Law No. 6 of Bexar County .....            | 25.0172         |           |
| County Court at Law No. 7 of Bexar County .....            | 25.0172         |           |
| County Court at Law No. 8 of Bexar County .....            | 25.0172         |           |
| County Court at Law No. 9 of Bexar County .....            | 25.0172         |           |
| County Court at Law No. 10 of Bexar County .....           | 25.0172         |           |
| County Court at Law No. 11 of Bexar County .....           | 25.0172         |           |
| County Court at Law No. 12 of Bexar County .....           | 25.0172         |           |
| County Court at Law No. 13 of Bexar County .....           | 25.0171-25.0172 |           |
| County Court at Law No. 14 of Bexar County .....           | 25.0171-25.0172 |           |
| County Court at Law No. 15 of Bexar County .....           | 25.0171-25.0172 |           |
| County Court at Law No. 1 of Collin County .....           | 25.0452         |           |
| County Court at Law No. 2 of Collin County .....           | 25.0452         |           |
| County Court at Law No. 3 of Collin County .....           | 25.0452         |           |
| County Court at Law No. 4 of Collin County .....           | 25.0452         |           |
| County Court at Law No. 5 of Collin County .....           | 25.0452         |           |
| County Court at Law No. 6 of Collin County .....           | 25.0452         | <b>19</b> |
| County Court at Law of Grayson County .....                | 25.0932         |           |
| County Court at Law No. 2 of Grayson County .....          | 25.0932         |           |
| County Criminal Court at Law No. 1 of Harris County .....  | 25.1033         |           |
| County Criminal Court at Law No. 2 of Harris County .....  | 25.1033         |           |
| County Criminal Court at Law No. 3 of Harris County .....  | 25.1033         |           |
| County Criminal Court at Law No. 4 of Harris County .....  | 25.1033         |           |
| County Criminal Court at Law No. 5 of Harris County .....  | 25.1033         |           |
| County Criminal Court at Law No. 6 of Harris County .....  | 25.1033         |           |
| County Criminal Court at Law No. 7 of Harris County .....  | 25.1033         |           |
| County Criminal Court at Law No. 8 of Harris County .....  | 25.1033         |           |
| County Criminal Court at Law No. 9 of Harris County .....  | 25.1033         |           |
| County Criminal Court at Law No. 10 of Harris County ..... | 25.1033         |           |
| County Criminal Court at Law No. 11 of Harris County ..... | 25.1033         |           |
| County Criminal Court at Law No. 12 of Harris County ..... | 25.1033         |           |
| County Criminal Court at Law No. 13 of Harris County ..... | 25.1033         |           |
| County Criminal Court at Law No. 14 of Harris County ..... | 25.1033         |           |
| County Criminal Court at Law No. 15 of Harris County ..... | 25.1033         |           |
| County Court at Law of Harrison County .....               | 25.1042         |           |
| County Court at Law No. 1 of Jefferson County .....        | 25.1252         |           |
| County Court at Law No. 2 of Jefferson County .....        | 25.1252         |           |
| County Court at Law No. 3 of Jefferson County .....        | 25.1252         |           |
| County Court at Law No. 1 of Potter County .....           | 25.1902         |           |

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Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.

|   |         |    |
|---|---------|----|
| County Court at Law No. 2 of Taylor County .....    | 25.2232 | 19 |
| County Court at Law of Tom Green County .....       | 25.2282 |    |
| County Court at Law No. 2 of Tom Green County ..... | 25.2282 |    |
| County Court at Law No. 1 of Victoria County .....  | 25.2372 |    |
| County Court at Law No. 2 of Victoria County .....  | 25.2372 |    |

**Seven county courts at law have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI and civil cases when the matter in controversy does not exceed \$250,000:**

|  |         |    |
|--|---------|----|
| County Court at Law No. 1 of Travis County ..... | 25.2292 | 20 |
| County Court at Law No. 2 of Travis County ..... | 25.2292 |    |
| County Court at Law No. 3 of Travis County ..... | 25.2292 |    |
| County Court at Law No. 5 of Travis County ..... | 25.2292 |    |
| County Court at Law No. 6 of Travis County ..... | 25.2292 |    |
| County Court at Law No. 7 of Travis County ..... | 25.2292 |    |
| County Court at Law No. 8 of Travis County ..... | 25.2292 |    |

**Three county courts at law have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI and civil cases when the matter in controversy does not exceed \$1,000,000:**

|   |         |    |
|---|---------|----|
| County Court at Law No. 1 of Cameron County ..... | 25.0332 | 21 |
| County Court at Law No. 2 of Cameron County ..... | 25.0332 |    |
| County Court at Law No. 3 of Cameron County ..... | 25.0332 |    |

**Five county courts at law have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI and civil cases, regardless of the amount in controversy:**

|  |         |    |
|--|---------|----|
| County Court at Law No. 1 of Dallas County ..... | 25.0592 | 22 |
| County Court at Law No. 2 of Dallas County ..... | 25.0592 |    |
| County Court at Law No. 3 of Dallas County ..... | 25.0592 |    |
| County Court at Law No. 4 of Dallas County ..... | 25.0592 |    |
| County Court at Law No. 5 of Dallas County ..... | 25.0592 |    |

**Two county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, and civil cases with a \$50,000 limit on the amount in controversy:**

|  |         |    |
|--|---------|----|
| County Court at Law No. 1 of Angelina County ..... | 25.0052 | 23 |
| County Court at Law No. 2 of Angelina County ..... | 25.0025 |    |

**Fifty-one county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, and civil cases when the matter in controversy does not exceed \$100,000:**

|  |         |    |
|--|---------|----|
| County Court at Law of Austin County .....   | 25.0102 | 24 |
| County Court at Law of Bastrop County .....  | 25.0132 |    |
| County Court at Law No. 1 and Probate Court of Brazoria County .....   | 25.0222 |    |
| County Court at Law No. 2 and Probate Court of Brazoria County .....   | 25.0222 |    |
| County Court at Law No. 3 and Probate Court of Brazoria County .....   | 25.0222 |    |
| County Court at Law No. 4 and Probate Court of Brazoria County .....   | 25.0222 |    |
| <i>(Note: Brazoria County Court at Law and Probate Courts Nos. 1, 2, 3 and 4 are not statutory probate courts as that term is defined by Section 3 of the Probate Code.)</i> |         |    |
| County Court at Law No. 1 of Brazos County .....   | 25.0232 |    |
| County Court at Law No. 2 of Brazos County .....   | 25.0232 |    |
| County Court at Law of Caldwell County .....   | 25.0302 |    |
| County Court at Law of Cherokee County .....   | 25.0392 |    |
| County Court at Law No. 1 of Comal County .....  | 25.0482 |    |
| County Court at Law No. 2 of Comal County .....  | 25.0482 |    |
| County Court at Law of Coryell County .....  | 25.0522 |    |
| County Court at Law of Ector County .....  | 25.0702 |    |
| County Court at Law No. 2 of Ector County .....  | 25.0702 |    |

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|   |         |    |
|---|---------|----|
| County Court at Law No. 1 of Fort Bend County .....           | 25.0812 | 24 |
| County Court at Law No. 2 of Fort Bend County .....           | 25.0812 |    |
| County Court at Law No. 3 of Fort Bend County .....           | 25.0812 |    |
| County Court at Law No. 4 of Fort Bend County .....           | 25.0182 |    |
| County Court at Law of Guadalupe County .....                 | 25.0962 |    |
| County Court at Law No. 2 of Guadalupe County .....           | 25.0962 |    |
| County Court at Law No. 1 of Hays County .....                | 25.1072 |    |
| County Court at Law No. 2 of Hays County .....                | 25.1072 |    |
| County Court at Law of Henderson County .....                 | 25.1092 |    |
| County Court at Law No. 2 of Henderson County .....           | 25.1092 |    |
| County Court at Law of Houston County .....                   | 25.1152 |    |
| County Court at Law No. 1 of Johnson County .....             | 25.1282 |    |
| County Court at Law No. 2 of Johnson County .....             | 25.1282 |    |
| County Court at Law of Kerr County .....                      | 25.1352 |    |
| County Court at Law of Liberty County .....                   | 25.1482 |    |
| County Court at Law No. 1 of Lubbock County .....             | 25.1542 |    |
| County Court at Law No. 2 of Lubbock County .....             | 25.1542 |    |
| County Court at Law No. 3 of Lubbock County .....             | 25.1542 |    |
| County Court at Law of Medina County .....                    | 25.1652 |    |
| County Court at Law of Moore County .....                     | 25.1732 |    |
| County Court at Law of Nacogdoches County .....               | 25.1762 | 24 |
| County Court at Law of Nolan County .....                     | 25.1792 |    |
| County Court at Law of Orange County .....                    | 25.1832 |    |
| County Court at Law No. 2 of Orange County .....              | 25.1832 |    |
| County Court at Law No. 2 of Potter County .....              | 25.1902 |    |
| County Court at Law of Reeves County .....                    | 25.1972 |    |
| County Court at Law of Val Verde County .....                 | 25.2352 |    |
| County Court at Law of Walker County .....                    | 25.2382 |    |
| County Court at Law of Waller County .....                    | 25.2392 |    |
| County Court at Law of Washington County .....                | 25.2412 |    |
| County Court at Law of Wilbarger County .....                 | 25.2462 |    |
| <i>Effective 01/01/94 but not implemented as of 10/1/2010</i> |         |    |
| County Court at Law No. 1 of Williamson County .....          | 25.2482 |    |
| County Court at Law No. 2 of Williamson County .....          | 25.2482 |    |
| County Court at Law No. 3 of Williamson County .....          | 25.2482 |    |
| County Court at Law No. 4 of Williamson County .....          | 25.2482 |    |
| County Court at Law of Wise County .....                      | 25.2512 |    |

**One county court at law has concurrent jurisdiction with the district court in family law cases and proceedings, except for proceedings under Chapter 262.201, Texas Family Code; and, proceedings under Sections 5f4.03 and 54.04, Texas Family Code:**

|  |                         |    |
|--|-------------------------|----|
| County Court at Law of Fannin County ..... | 25.0761-25.0762; 25.003 | 25 |
|--|-------------------------|----|

**Two county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, and civil cases with a \$500,000 limit on the amount in controversy:**

|   |         |    |
|---|---------|----|
| County Court at Law of Midland County .....       | 25.167  | 26 |
| County Court at Law No. 2 of Midland County ..... | 25.1672 |    |

**Seven county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, and civil cases with a \$750,000 limit on the amount in controversy:**

|   |         |    |
|---|---------|----|
| County Court at Law No. 1 of Hidalgo County ..... | 25.1101 | 27 |
| County Court at Law No. 2 of Hidalgo County ..... | 25.1101 |    |
| County Court at Law No. 4 of Hidalgo County ..... | 25.1101 |    |
| County Court at Law No. 5 of Hidalgo County ..... | 25.1101 |    |
| County Court at Law No. 6 of Hidalgo County ..... | 25.1101 |    |
| County Court at Law No. 7 of Hidalgo County ..... | 25.1101 |    |
| created effective 9-1-2011                        |         |    |

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Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.

County Court at Law No. 8 of Hidalgo County ..... 25.1101  
created effective 9-1-2012

**Three county courts at law have concurrent jurisdiction with the district court in family law cases and proceedings, appeals of decisions of the division of workers' compensation of TDI and all civil cases with no upper limits on the amount in controversy:**

County Court at Law of Ellis County ..... 25.072 28  
County Court at Law No. 2 of Ellis County ..... 25.0072  
County Court at Law of Rusk County ..... 25.2032

**One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and tax cases:**

County Court at Law of Polk County ..... 25.1892 29

**Five county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and matters involving an *inter vivos* trust:**

County Court at Law No. 1 of Montgomery County ..... 25.1722 30  
County Court at Law No. 2 of Montgomery County ..... 25.1722  
County Court at Law No. 3 of Montgomery County ..... 25.1722  
County Court at Law No. 4 of Montgomery County ..... 25.1722  
County Court at Law No. 5 of Montgomery County ..... 25.1722

**One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and suits involving title to real property:**

County Court at Law of Starr County ..... 25.2162 31

**One county court at law has concurrent jurisdiction with the district court in family law cases, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$250,000 and contested probate and guardianship matters under Section 5(b) of the Texas Probate Code:**

County Court at Law of Bosque County ..... 25.003; 25.0201; 25.0202 32

**One county court at law has concurrent jurisdiction with the district court in family law cases, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$250,000 and contested probate and guardianship matters under Sections 5(b) and 606(b) of the Texas Probate Code:**

County Court at Law of Hood County ..... 25.1132 33

**One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and criminal cases (including jurisdiction to conduct arraignments, pretrial hearings and to accept guilty pleas in felony cases), probate matters (including will contests), and actions under Title 9 of the Property Code:**

County Court at Law of Anderson County ..... 25.0042 34

**One county court at law has concurrent jurisdiction with the district court in family law cases; appeals of decisions of the division of workers' compensation of TDI; civil cases up to \$100,000; probate matters and felony cases to conduct arraignments, pretrial hearings and accept guilty pleas:**

County Court at Law of Lamar County ..... 25.1412 35

**Two county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and proceedings to expunge a criminal arrest record:**

## SUBJECT-MATTER JURISDICTION OF THE COURTS

*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

|  |         |    |
|--|---------|----|
| County Court at Law No. 1 of Webb County ..... | 25.2422 | 36 |
| County Court at Law No. 2 of Webb County ..... | 25.2422 |    |

**Two county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers’ compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and felony cases to conduct arraignments, conduct pretrial hearings, and accept guilty pleas:**

|   |         |    |
|---|---------|----|
| County Court at Law of Aransas County ..... | 25.0062 | 37 |
| County Court at Law of Kleberg County ..... | 25.1392 |    |

**Two county courts at law have concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers’ compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and felony cases to conduct arraignments, conduct pretrial hearings, and accept pleas in uncontested matters:**

|   |         |    |
|---|---------|----|
| County Court at Law No. 1 of Randall County ..... | 25.1932 | 38 |
| County Court at Law No. 2 of Randall County ..... | 25.1932 |    |

**One county court at law has general statutory county court jurisdiction and, in addition, concurrent Jurisdiction with the district court in family law matters, juvenile matters, probate matters, appeals from the justice and municipal courts, Class A and Class B misdemeanor cases, and felony cases to conduct arraignments and pretrial hearings, accept guilty pleas, and conduct jury trials on assignment of a district judge.**

|   |                         |    |
|---|-------------------------|----|
| County Court at Law of Navarro County ..... | 25.003; 25.1771-25.1772 | 39 |
|---|-------------------------|----|

**One county court at law has general statutory county court jurisdiction and concurrent jurisdiction with the district court in family law cases and proceedings, except for proceedings under Chapter 262, Family Code and proceedings under Sections 54.03 and 54.04, Family Code.**

|  |                         |    |
|--|-------------------------|----|
| County Court at Law of Fannin County ..... | 25.003; 25.0761-25.0762 | 40 |
|--|-------------------------|----|

**Three county courts at law have general statutory county court jurisdiction and concurrent jurisdiction with the district court(s) in civil cases in which the matter in controversy does not exceed \$200,000; family law matters, juvenile matters, probate matters, appeals from the justice and municipal courts, Class A and Class B misdemeanor cases, and felony cases for arraignments, pretrial hearings, guilty pleas, and jury trials on assignment of the district judge.**

|   |                         |    |
|---|-------------------------|----|
| County Court at Law No. 1 of Hunt County..... | 25.003; 25.1181-25.1182 | 41 |
| County Court at Law No. 2 of Hunt County..... | 25.003; 25.1181-25.1182 |    |
| County Court at Law of Van Zandt County ..... | 25.003; 25.2361         |    |
| created effective 1/1/2011                    |                         |    |

**One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers’ compensation of TDI, civil cases up to \$100,000 and felony criminal cases:**

|   |         |    |
|---|---------|----|
| County Court at Law of Brown County ..... | 25.0272 | 42 |
|---|---------|----|

**One county court at law has concurrent jurisdiction with the district court in family law matters, appeals of decisions of the division of workers’ compensation of TDI, civil cases up to \$100,000 and felony cases other than those involving capital murder:**

|  |         |    |
|--|---------|----|
| County Court at Law of Hill County ..... | 25.1112 | 43 |
|--|---------|----|

**One county court at law has concurrent jurisdiction with the district court in family law cases, appeals of decisions of the division of workers’ compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000 and all criminal cases:**

|   |         |    |
|---|---------|----|
| County Court at Law of Bee County .....                               | 25.0152 | 44 |
| <i>Created effective 01/01/00 but not implemented as of 10/1/2010</i> |         |    |

**Three county courts at law have concurrent jurisdiction with the district court in non-jury family law cases,**

## SUBJECT-MATTER JURISDICTION OF THE COURTS

Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.

**appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000, eminent domain proceedings, slander or defamation suits, suits involving the title to real or personal property, suits involving the enforcement of real property liens, suits involving the forfeiture of a corporate charter, suits involving the recovery of real property, and suits involving the right to property valued at \$200 or more that has been levied on:**

|   |         |    |
|---|---------|----|
| County Court at Law No. 1 of Tarrant County ..... | 25.2222 | 45 |
| County Court at Law No. 2 of Tarrant County ..... | 25.2222 |    |
| County Court at Law No. 3 of Tarrant County ..... | 25.2222 |    |

**One county court at law has concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000, and proceedings under Chapter 262, Family Code, in which the Department of Protective and Regulatory Services has assumed the care, custody and control of a child.**

|   |         |    |
|---|---------|----|
| County Court at Law of Erath County ..... | 25.0741 | 46 |
|---|---------|----|

**One county court at law has concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000, and matters involving juvenile and child welfare laws:**

|  |         |    |
|--|---------|----|
| County Court at Law of San Patricio County ..... | 25.2072 | 47 |
|--|---------|----|

**Four statutory county courts have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI, civil cases when the matter in controversy does not exceed \$100,000, slander or defamation suits, suits involving the title to real or personal property, suits involving the enforcement of real property liens, suits involving the forfeiture of a corporate charter, suits involving the recovery of real property and suits involving the right to property valued at \$200 or more that has been levied on:**

|  |         |    |
|--|---------|----|
| County Civil Court at Law No. 1 of Harris County ..... | 25.1032 | 48 |
| County Civil Court at Law No. 2 of Harris County ..... | 25.1032 |    |
| County Civil Court at Law No. 3 of Harris County ..... | 25.1032 |    |
| County Civil Court at Law No. 4 of Harris County ..... | 25.1032 |    |

**Two county courts at law have concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI; civil cases when the matter in controversy does not exceed \$100,000; felony cases to accept guilty pleas and conduct arraignments, pretrial hearing and probation revocation hearings; and third degree felony cases:**

|  |         |    |
|--|---------|----|
| County Court at Law of McLennan County .....       | 25.1572 | 49 |
| County Court at Law No. 2 of McLennan County ..... | 25.1572 |    |

**One county court at law has concurrent jurisdiction with the district court in appeals of decisions of the division of workers' compensation of TDI, civil cases up to \$250,000 and state jail felony and third degree felony cases involving family violence:**

|  |         |    |
|--|---------|----|
| County Court at Law No. 4 of Travis County ..... | 25.2292 | 50 |
|--|---------|----|

**Two county courts at law have concurrent jurisdiction with the district court in family law matters and civil cases, other than Alcoholic Beverage Code, Election Code or Tax Code cases, between \$5,000 and \$100,000 (monetary limit not applicable to Family or Probate Code cases):**

|   |         |    |
|---|---------|----|
| County Court at Law No. 1 of Wichita County ..... | 25.2452 | 51 |
| County Court at Law No. 2 of Wichita County ..... | 25.2452 |    |

**One county court at law has concurrent jurisdiction with the district court in family law matters and civil cases when the matter in controversy does not exceed \$100,000:**

|                                     |         |    |
|-------------------------------------|---------|----|
| County Court of Burnet County ..... | 25.0292 | 52 |
|-------------------------------------|---------|----|

**One statutory probate court has concurrent jurisdiction with the district court in eminent domain, condemnation, land titles, suits to quiet title, trespass to try title, lien foreclosures and adjudication of all free hold and leasehold interests, easements, licenses, and boundaries of real property:**

## SUBJECT-MATTER JURISDICTION OF THE COURTS

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|                                      |         |    |
|--------------------------------------|---------|----|
| Probate Court of Denton County ..... | 25.0635 | 53 |
|--------------------------------------|---------|----|

**Two statutory probate courts have concurrent jurisdiction with the district court in eminent domain cases and suits involving title to real or personal property:**

|   |         |    |
|---|---------|----|
| Probate Court No. 1 of Bexar County ..... | 25.0173 | 54 |
| Probate Court No. 2 of Bexar County ..... | 25.0173 |    |

**Five statutory county courts have felony jurisdiction concurrent with the district court over matters involving intoxication arising by a true bill of indictment by a grand jury charging one or more offenses under Chapter 49, Penal Code:**

|  |         |    |
|--|---------|----|
| County Criminal Court No. 1 of Denton County ..... | 25.0634 | 55 |
| County Criminal Court No. 2 of Denton County ..... | 25.0634 |    |
| County Criminal Court No. 3 of Denton County ..... | 25.0634 |    |
| County Criminal Court No. 4 of Denton County ..... | 25.0634 |    |
| County Criminal Court No. 5 of Denton County ..... | 25.0634 |    |

**Five statutory county courts have concurrent jurisdiction with the district court to conduct arraignments, conduct pretrial hearings, and accept guilty pleas in felony cases:**

|  |         |    |
|--|---------|----|
| County Criminal Court No. 5 of Tarrant County .....  | 25.2223 | 56 |
| County Criminal Court No. 7 of Tarrant County .....  | 25.2223 |    |
| County Criminal Court No. 8 of Tarrant County .....  | 25.2223 |    |
| County Criminal Court No. 9 of Tarrant County .....  | 25.2223 |    |
| County Criminal Court No. 10 of Tarrant County ..... | 25.2223 |    |

**Two county courts at law have concurrent jurisdiction with the district court, except capital felony cases:**

|   |         |    |
|---|---------|----|
| County Court at Law No. 1 of Gregg County ..... | 25.0942 | 57 |
| County Court at Law No. 2 of Gregg County ..... | 25.0942 |    |

**Two county courts at law have concurrent jurisdiction with the district court, except felony cases (except as otherwise provided by law) and the courts have jurisdiction to grant orders permitting a marriage ceremony to take place during a 72-hour period immediately following the issuance of a marriage license in the county:**

|  |         |    |
|--|---------|----|
| County Court at Law of Parker County .....       | 25.1862 | 58 |
| County Court at Law No. 2 of Parker County ..... | 25.1862 |    |

**One county court at law has concurrent jurisdiction with the district court, except felony jury trials, suits on behalf of the State to recover penalties or escheated property, misdemeanors involving official misconduct, contested elections, or civil cases when the amount in controversy exceeds \$100,000:**

|   |         |    |
|---|---------|----|
| County Court at Law of Hopkins County ..... | 25.1142 | 59 |
|---|---------|----|

**One county court at law has concurrent jurisdiction with the district court, except for the following: felony criminal matters, suits on behalf of the State to recover penalties or escheated property, misdemeanors involving official misconduct, contested elections, and civil cases when the amount in controversy exceeds \$100,000:**

|   |         |    |
|---|---------|----|
| County Court at Law of Bowie County ..... | 25.0212 | 60 |
|---|---------|----|

**One county court at law has concurrent jurisdiction with the district court, except felony cases involving capital murder, suits on behalf of the State to recover penalties or escheated properties, misdemeanors involving official misconduct, contested elections, and civil cases when the amount in controversy exceeds the limit prescribed by Sec. 25.0003(c)(1), Tex. Gov't Code (currently \$100,000):**

|   |         |    |
|---|---------|----|
| County Court at Law No. 2 of Kaufman County ..... | 25.1312 | 61 |
|---|---------|----|

**Four county courts at law have concurrent jurisdiction with the district courts in all matters except felony, official misconduct, contested elections, and family law cases:**

|  |         |    |
|--|---------|----|
| County Court at Law No. 1 of Nueces County ..... | 25.1802 | 62 |
| County Court at Law No. 2 of Nueces County ..... | 25.1802 |    |
| County Court at Law No. 3 of Nueces County ..... | 25.1802 |    |
| County Court at Law No. 4 of Nueces County ..... | 25.1802 |    |

## SUBJECT-MATTER JURISDICTION OF THE COURTS

*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

**One county court at law has concurrent jurisdiction with the district courts in all matters except felony, official misconduct, contested elections, and family law cases, except for proceedings under Title 3 Family Code, and any proceeding involving an order relating to a child in the possession or custody of the Department of Protective and Regulatory Services or for whom the court has appointed a temporary or permanent managing conservator:**

County Court at Law No. 5 of Nueces County ..... 25.1802 63

**Two county courts at law have concurrent jurisdiction with the district court, except felony cases (other than those provided by law) or contested elections:**

County Court at Law No. 1 of Galveston County ..... 25.0862 64  
 County Court at Law No. 2 of Galveston County ..... 25.0862

**Eight county courts at law have concurrent jurisdiction with the district court, except felony cases (other than those provided by law), misdemeanors involving official misconduct, or contested elections:**

County Court at Law No. 1 of El Paso County ..... 25.0732 65  
 County Court at Law No. 2 of El Paso County ..... 25.0732  
 County Court at Law No. 3 of El Paso County ..... 25.0732  
 County Court at Law No. 4 of El Paso County ..... 25.0732  
 County Court at Law No. 5 of El Paso County ..... 25.0732  
 County Court at Law No. 6 of El Paso County ..... 25.0732  
 County Court at Law No. 7 of El Paso County ..... 25.0732  
 County Court at Law of Kendall County ..... 25.1322

**Three county courts at law have concurrent jurisdiction with the district court, except capital felony cases or felonies of the 1<sup>st</sup> or 2<sup>nd</sup> degree, misdemeanors involving official misconduct, contested elections, or suits on behalf of the State to recover penalties, forfeiture, or escheat:**

County Court at Law of Smith County ..... 25.2142 66  
 County Court at Law No. 2 of Smith County ..... 25.2142  
 County Court at Law No. 3 of Smith County ..... 25.2142

**Three county courts at law have concurrent jurisdiction with the district court, except felony cases involving capital murder, suits on behalf of the State to recover penalties or escheated properties, misdemeanors involving official misconduct, or contested elections:**

County Court at Law of Cass County ..... 25.0362 67  
 County Court at Law of Kaufman County ..... 25.1312  
 County Court at Law of Rockwall County ..... 25.2012

**One county court at law has concurrent jurisdiction with the district court, except felony cases (other than writs of habeas corpus), misdemeanors involving official misconduct, contested elections, or appeals from county court:**

County Court at Law No. 1 of Calhoun County ..... 25.0312 68

A wide variety of statutory changes have been made blurring the line between district court jurisdiction and county court jurisdiction.

**In three counties, all civil and criminal jurisdiction of the county court, except probate and juvenile, has been transferred to the district court:**

Jones (259th District Court) ..... 24.436, 26.227 69  
 Shackelford (259th District Court) ..... 24.436, 26.309  
 Stephens (90th District Court) ..... 24.192, 26.315

**In three counties, all civil and criminal jurisdiction of the county court, except probate and juvenile, has been transferred to the district court and the district court has concurrent civil and criminal jurisdiction with the statutory county courts in civil and criminal matters normally in the county court:**

Bowie (5th, 102nd, 202nd District Courts) ..... 24.105, 24.204, 24.381, 26.119 70  
 Comal (22nd, 207th, 274<sup>th</sup>, 433rd District Courts) ..... 24.123, 24.386, 24.451, 26.146  
 Webb (49th District Court) ..... 24.151, 26.340

## SUBJECT-MATTER JURISDICTION OF THE COURTS

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|  |                |  |
|--|----------------|--|
| Webb (406th District Court) .....  | 24.551, 26.340 |  |
| <i>The 406<sup>th</sup> District Court has concurrent criminal jurisdiction with the statutory county courts and concurrent civil jurisdiction in all cases under the Family Code or the Health and Safety Code.</i> |                |  |

**All civil jurisdiction of the county court, except probate and juvenile, has been transferred to the district court in three counties, and the district court has concurrent with the county court the criminal jurisdiction of a county court:**

|   |                        |           |
|---|------------------------|-----------|
| Eastland (91st District Court) .....        | 24.193, 26.167         | <b>71</b> |
| Morris (76th, 276th District Courts) .....  | 24.178, 24.453, 26.272 |           |
| Marion (115th, 276th District Courts) ..... | 24.217, 24.453, 26.258 |           |

**In one county, all civil and criminal jurisdiction, except probate and juvenile, was removed from the county court, and the district court and county court have concurrent jurisdiction to receive guilty pleas in misdemeanor cases and the district court and county court at law have concurrent jurisdiction in all civil and criminal matters normally vested in the county court:**

|                                 |                |           |
|---------------------------------|----------------|-----------|
| Cass (5th District Court) ..... | 24.105, 26.134 | <b>72</b> |
|---------------------------------|----------------|-----------|

**In another county, all civil cases, except those involving probate and juvenile matters and orders providing for support of deserted wives or children, and all criminal cases appealed from the justice and municipal courts have been transferred to the district court, and the county and district courts have concurrent jurisdiction in matters in which the county court normally has original criminal jurisdiction:**

|  |                        |           |
|--|------------------------|-----------|
| Red River (6th, 102nd District Courts) ..... | 24.106, 24.204, 26.294 | <b>73</b> |
|--|------------------------|-----------|

**In another county, all civil cases, except those involving probate and juvenile matters have been transferred to the district court, unless the county judge has the qualifications required of a district judge and is designated as judge of the juvenile court, then the county court also has jurisdiction over child neglect or dependency proceedings:**

|  |                                |           |
|--|--------------------------------|-----------|
| Wichita (30th, 78th, 89th District Courts) ..... | 24.132, 24.180, 24.191, 26.343 | <b>74</b> |
|--|--------------------------------|-----------|

**All civil jurisdiction of the county court, except probate, has been transferred to the district court in four counties:**

|                                    |                |           |
|------------------------------------|----------------|-----------|
| Baylor (50th District Court) ..... | 24.152, 26.112 | <b>75</b> |
| Cottle (50th District Court) ..... | 24.152; 26.151 |           |
| King (50th District Court) .....   | 24.152, 26.235 |           |
| Knox (50th District Court) .....   | 24.152, 26.238 |           |

**All civil jurisdiction of the county court, except probate and juvenile, has been transferred to the district court in five counties:**

|  |                        |           |
|--|------------------------|-----------|
| Glasscock (118th District Court) .....           | 24.220, 26.187         | <b>76</b> |
| Mills (35th District Court) .....                | 24.137, 26.267         |           |
| Navarro (13th District Court) .....              | 24.114, 26.275         |           |
| Sabine (1st, 273rd District Courts) .....        | 24.101, 24.450, 26.302 |           |
| San Augustine (1st, 273rd District Courts) ..... | 24.101, 24.450, 26.303 |           |

**In one county, the criminal jurisdiction has been removed from the county court (except for cases alleging a violation of Sec. 25.093 or 25.094, Education Code), and 16 of the district courts in the county have concurrent original criminal jurisdiction with the statutory county criminal courts in matters of county court original criminal jurisdiction:**

|                    |                        |           |
|--------------------|------------------------|-----------|
| 14th Dallas .....  | 24.901, 24.115         | <b>77</b> |
| 44th Dallas .....  | 24.146, 24.901, 24.115 |           |
| 68th Dallas .....  | 24.170, 24.901, 24.115 |           |
| 95th Dallas .....  | 24.197, 24.901, 24.115 |           |
| 101st Dallas ..... | 24.203, 24.901, 24.115 |           |
| 116th Dallas ..... | 24.218, 24.901, 24.115 |           |
| 134th Dallas ..... | 24.236, 24.901, 24.115 |           |
| 160th Dallas ..... | 24.257, 24.901, 24.115 |           |
| 162nd Dallas ..... | 24.259, 24.901, 24.115 |           |

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|  |                        |           |
|--|------------------------|-----------|
| Criminal District Court of Dallas County .....       | 24.901, 24.115         |           |
| Criminal District Court No. 2 of Dallas County ..... | 24.902, 24.901, 24.115 |           |
| Criminal District Court No. 3 of Dallas County ..... | 24.903, 24.901, 24.115 |           |
| Criminal District Court No. 4 of Dallas County ..... | 24.904, 24.901, 24.115 | <b>77</b> |
| Criminal District Court No. 5 of Dallas County ..... | 24.905, 24.901, 24.115 |           |
| Criminal District Court No. 6 of Dallas County ..... | 24.906, 24.901, 24.115 |           |
| Criminal District Court No. 7 of Dallas County ..... | 24.907, 24.901, 24.115 |           |

**In one county, the criminal and civil jurisdiction of the county court has been removed and nine of the district courts have concurrent original criminal jurisdiction with the statutory county criminal courts in matters of county court original criminal jurisdiction:**

|   |                |           |
|---|----------------|-----------|
| 213th Tarrant .....                                   | 24.392         | <b>78</b> |
| 297th Tarrant .....                                   | 24.474         |           |
| 371st Tarrant .....                                   | 24.516         |           |
| 372nd Tarrant .....                                   | 24.517         |           |
| 396th Tarrant .....                                   | 24.541         |           |
| Criminal District Court No. 1 of Tarrant County ..... | 24.910         |           |
| Criminal District Court No. 2 of Tarrant County ..... | 24.910, 24.911 |           |
| Criminal District Court No. 3 of Tarrant County ..... | 24.910, 24.912 |           |
| Criminal District Court No. 4 of Tarrant County ..... | 24.913         |           |

**In two counties, the criminal and civil jurisdiction has been removed from the county court and four of the district courts have concurrent jurisdiction with the county courts at law of misdemeanor cases:**

|   |        |           |
|---|--------|-----------|
| 85th Brazos .....                                 | 24.187 | <b>79</b> |
| 272nd Brazos .....                                | 24.449 |           |
| 361st Brazos .....                                | 24.506 |           |
| Criminal District Court of Jefferson County ..... | 24.920 |           |

Rather than transfer jurisdiction absolutely from the county court to the district court, the Legislature in several instances has given both the district-level and the county courts concurrent jurisdiction in certain matters.

**Four district courts have concurrent original and appellate criminal jurisdiction with the county court in matters normally in the county court:**

|                      |                |           |
|----------------------|----------------|-----------|
| 76th Camp .....      | 24.178         | <b>80</b> |
| 207th Caldwell ..... | 24.386         |           |
| 258th Polk .....     | 24.435         |           |
| 276th Camp .....     | 24.453, 24.178 |           |

**Six district courts have concurrent jurisdiction with the county court in all civil and criminal matters normally vested in the county court:**

|                       |                |           |
|-----------------------|----------------|-----------|
| 49th Zapata .....     | 24.151         | <b>81</b> |
| 115th Upshur .....    | 24.217, 26.330 |           |
| 294th Van Zandt ..... | 24.471         |           |
| 344th Chambers .....  | 24.490         |           |
| 356th Hardin .....    | 24.502         |           |
| 402nd Wood .....      | 24.547         |           |

**One district court has concurrent jurisdiction with the county court and the county court at law in all civil and criminal matters normally vested in the county court:**

|                 |                |           |
|-----------------|----------------|-----------|
| 66th Hill ..... | 24.168, 26.209 | <b>82</b> |
|-----------------|----------------|-----------|

**In McLennan County, the five district courts (19<sup>th</sup>, 54<sup>th</sup>, 74<sup>th</sup>, 170<sup>th</sup>, and 414<sup>th</sup>) now have concurrent jurisdiction with the county court and with the two statutory county courts in misdemeanor cases.**

|  |   |           |
|--|---|-----------|
| County Court at Law of McLennan County .....       | 24.120, 14.156, 24.176, 24.265, 24.558; |           |
| .....  | 25.1571-25.1572                         | <b>83</b> |
| County Court at Law No. 2 of McLennan County ..... | 24.120, 14.156, 24.176, 24.265,         |           |
| .....  | 24.558; 25.1571-25.1572                 |           |

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**In one county, if the county judge is licensed to practice law in Texas and has practiced for at least two years, the jurisdiction of the constitutional county court is expanded to include (concurrent with the district court) family law cases, eminent domain, and civil matters when the amount in controversy does not exceed \$20,000:**

Fayette ..... 26.175

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### COUNTY-LEVEL COURTS

The county courts were established by the Constitution of 1836. They were presided over by a chief justice appointed by the Congress of the Republic of Texas for a term of four years. This continued from 1836 to 1841, when the office was made elective. The term was shortened to two years in the Constitutions of 1845 and 1861. Under the Constitution of 1866, the name of the presiding officer of the court was changed from chief justice to county judge, and the term of office was again established at four years.

The county court was abolished by the Constitution of 1869, but was re-established by the Constitution of 1876 with an elected presiding officer, the county judge, serving a two-year term. The term of office was increased to four years by a constitutional amendment adopted in 1954.

Today, the Texas Constitution provides for a county court in each county. Generally, "constitutional" county courts have concurrent jurisdiction with justice of the peace courts in civil cases where the matter in controversy exceeds \$200 but does not exceed \$10,000; concurrent jurisdiction with the district courts in civil cases where the matter in controversy exceeds \$500 but does not exceed \$10,000; general jurisdiction over probate cases; juvenile jurisdiction; and exclusive original jurisdiction over misdemeanors, other than those involving official misconduct, where punishment for the offense, upon conviction, is by fine exceeding \$500 and/or a jail sentence not to exceed one year. County courts generally have appellate jurisdiction (usually by trial *de novo*) over cases tried originally in the justice of the peace courts and municipal courts. Original and appellate judgments of the county courts may be appealed to the courts of appeals.

The Constitution provides that the county judge "shall be well informed in the law of the State...". This has been interpreted to mean that neither formal study of the law nor a license to practice law is a necessary qualification to hold office as county judge. Currently, of the 254 county judges in the State, approximately 11 percent are licensed to practice law.

Under its constitutional authorization to "...establish such other courts as it may deem necessary...[and to] conform the jurisdiction of the district and other inferior courts thereto," the Legislature has created statutory county courts and statutory probate courts, primarily in metropolitan counties, to provide assistance to the single "constitutional" county court. The Legislature has authorized a total of 249 of these statutory courts in 87 counties to relieve the county judge of some or all of the judicial duties of office. 249 of these courts have been created in 87 counties, although not all are in actual operation. (See list which follows.)

Under the constitutional grant of authority the Legislature has established the following statutory county courts and statutory probate courts (the number of statutory courts in each county is shown in parentheses):

|                 |      |  |
|-----------------|------|--|
| <b>Anderson</b> | (1)  | County Court at Law  |
| <b>Angelina</b> | (2)  | County Court at Law No. 1<br>County Court at Law No. 2   |
| <b>Aransas</b>  | (1)  | County Court at Law  |
| <b>Austin</b>   | (1)  | County Court at Law  |
| <b>Bastrop</b>  | (1)  | County Court at Law  |
| <b>Bee</b>      | (1)  | County Court at Law<br><i>Created effective 01/01/00 but not implemented as of 10/1/2010.</i>                    |
| <b>Bell</b>     | (3)  | County Court at Law No. 1<br>County Court at Law No. 2<br>County Court at Law No. 3                              |
| <b>Bexar</b>    | (17) | County Court at Law No. 1<br>County Court at Law No. 2<br>County Court at Law No. 3<br>County Court at Law No. 4 |

## SUBJECT-MATTER JURISDICTION OF THE COURTS

*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

|                 |      |   |
|-----------------|------|---|
|                 |      | County Court at Law No. 5   |
|                 |      | County Court at Law No. 6   |
|                 |      | County Court at Law No. 7   |
|                 |      | County Court at Law No. 8   |
|                 |      | County Court at Law No. 9   |
|                 |      | County Court at Law No. 10  |
|                 |      | County Court at Law No. 11  |
|                 |      | County Court at Law No. 12  |
|                 |      | County Court at Law No. 13  |
|                 |      | County Court at Law No. 14  |
|                 |      | County Court at Law No. 15  |
|                 |      | Probate Court No. 1   |
|                 |      | Probate Court No. 2   |
| <b>Bosque</b>   | (1)  | County Court at Law   |
| <b>Bowie</b>    | (1)  | County Court at Law   |
| <b>Brazoria</b> | (4)  | County Court at Law No. 1 and Probate Court<br>County Court at Law No. 2 and Probate Court<br>County Court at Law No. 3 and Probate Court<br>County Court at Law No. 4 and Probate Court  |
|                 |      | <i>(Note: Brazoria County Court at Law and Probate Courts Nos. 1, 2, 3 and 4 are not statutory probate courts as that term is defined by Section 3 of the Probate Code.)</i>  |
| <b>Brazos</b>   | (2)  | County Court at Law No. 1<br>County Court at Law No. 2  |
| <b>Brown</b>    | (1)  | County Court at Law   |
| <b>Burnet</b>   | (1)  | County Court at Law   |
| <b>Caldwell</b> | (1)  | County Court at Law   |
| <b>Calhoun</b>  | (1)  | County Court at Law No. 1   |
| <b>Cameron</b>  | (3)  | County Court at Law No. 1<br>County Court at Law No. 2<br>County Court at Law No. 3   |
| <b>Cass</b>     | (1)  | County Court at Law   |
| <b>Cherokee</b> | (1)  | County Court at Law   |
| <b>Collin</b>   | (7)  | County Court at Law No. 1<br>County Court at Law No. 2<br>County Court at Law No. 3<br>County Court at Law No. 4<br>County Court at Law No. 5<br>County Court at Law No. 6<br>Probate Court No. 1   |
| <b>Comal</b>    | (2)  | County Court at Law No. 1<br>County Court at Law No. 2  |
| <b>Cooke</b>    | (1)  | County Court at Law   |
| <b>Coryell</b>  | (1)  | County Court at Law   |
| <b>Dallas</b>   | (21) | County Court at Law No. 1<br>County Court at Law No. 2<br>County Court at Law No. 3<br>County Court at Law No. 4<br>County Court at Law No. 5<br>County Criminal Court<br>County Criminal Court No. 2<br>County Criminal Court No. 3<br>County Criminal Court No. 4<br>County Criminal Court No. 5<br>County Criminal Court No. 6<br>County Criminal Court No. 7<br>County Criminal Court No. 8<br>County Criminal Court No. 9<br>County Criminal Court No.10<br>County Criminal Court No. 11 |

## SUBJECT-MATTER JURISDICTION OF THE COURTS

Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.

|                  |      |  |
|------------------|------|--|
|                  |      | County Criminal Court of Appeals       |
|                  |      | County Criminal Court of Appeals No. 2 |
|                  |      | Probate Court                          |
|                  |      | Probate Court No. 2                    |
|                  |      | Probate Court No. 3                    |
| <b>Denton</b>    | (8)  | County Court at Law No. 1              |
|                  |      | County Court at Law No. 2              |
|                  |      | County Criminal Court No. 1            |
|                  |      | County Criminal Court No. 2            |
|                  |      | County Criminal Court No. 3            |
|                  |      | County Criminal Court No. 4            |
|                  |      | County Criminal Court No. 5            |
|                  |      | Probate Court                          |
| <b>Ector</b>     | (2)  | County Court at Law                    |
|                  |      | County Court at Law No. 2              |
| <b>Ellis</b>     | (2)  | County Court at Law                    |
|                  |      | County Court at Law No. 2              |
| <b>El Paso</b>   | (13) | County Court at Law No. 1              |
|                  |      | County Court at Law No. 2              |
|                  |      | County Court at Law No. 3              |
|                  |      | County Court at Law No. 4              |
|                  |      | County Court at Law No. 5              |
|                  |      | County Court at Law No. 6              |
|                  |      | County Court at Law No. 7              |
|                  |      | County Criminal Court at Law No. 1     |
|                  |      | County Criminal Court at Law No. 2     |
|                  |      | County Criminal Court at Law No. 3     |
|                  |      | County Criminal Court at Law No. 4     |
|                  |      | Probate Court No. 1                    |
|                  |      | Probate Court No. 2                    |
| <b>Erath</b>     | (1)  | County Court at Law                    |
| <b>Fannin</b>    | (1)  | County Court at Law                    |
| <b>Fort Bend</b> | (4)  | County Court at Law No. 1              |
|                  |      | County Court at Law No. 2              |
|                  |      | County Court at Law No. 3              |
|                  |      | County Court at Law No. 4              |
| <b>Galveston</b> | (4)  | County Court No. 1                     |
|                  |      | County Court No. 2                     |
|                  |      | County Court No. 3                     |
|                  |      | Probate Court                          |
| <b>Grayson</b>   | (2)  | County Court at Law                    |
|                  |      | County Court at Law No. 2              |
| <b>Gregg</b>     | (2)  | County Court at Law                    |
|                  |      | County Court at Law No. 2              |
| <b>Guadalupe</b> | (2)  | County Court at Law                    |
|                  |      | County Court at Law No. 2              |
| <b>Harris</b>    | (23) | County Civil Court at Law No. 1        |
|                  |      | County Civil Court at Law No. 2        |
|                  |      | County Civil Court at Law No. 3        |
|                  |      | County Civil Court at Law No. 4        |
|                  |      | County Criminal Court at Law No. 1     |
|                  |      | County Criminal Court at Law No. 2     |
|                  |      | County Criminal Court at Law No. 3     |
|                  |      | County Criminal Court at Law No. 4     |
|                  |      | County Criminal Court at Law No. 5     |
|                  |      | County Criminal Court at Law No. 6     |
|                  |      | County Criminal Court at Law No. 7     |
|                  |      | County Criminal Court at Law No. 8     |
|                  |      | County Criminal Court at Law No. 9     |
|                  |      | County Criminal Court at Law No. 10    |

## SUBJECT-MATTER JURISDICTION OF THE COURTS

Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.

|                    |     |  |
|--------------------|-----|--|
|                    |     | County Criminal Court at Law No. 11  |
|                    |     | County Criminal Court at Law No. 12  |
|                    |     | County Criminal Court at Law No. 13  |
|                    |     | County Criminal Court at Law No. 14  |
|                    |     | County Criminal Court at Law No. 15  |
|                    |     | Probate Court No. 1  |
|                    |     | Probate Court No. 2  |
|                    |     | Probate Court No. 3  |
|                    |     | Probate Court No. 4  |
| <b>Harrison</b>    | (1) | County Court at Law  |
| <b>Hays</b>        | (2) | County Court at Law No. 1  |
|                    |     | County Court at Law No. 2  |
| <b>Henderson</b>   | (2) | County Court at Law  |
|                    |     | County Court at Law No. 2  |
| <b>Hidalgo</b>     | (7) | County Court at Law No. 1  |
|                    |     | County Court at Law No. 2  |
|                    |     | County Court at Law No. 4  |
|                    |     | County Court at Law No. 5  |
|                    |     | County Court at Law No. 6  |
|                    |     | County Court at Law No. 7  |
|                    |     | Created effective 9-1-2011   |
|                    |     | County Court at Law No. 8  |
|                    |     | Created effective 9-1-2012   |
|                    |     | Probate Court  |
| <b>Hill</b>        | (1) | County Court at Law  |
| <b>Hood</b>        | (1) | County Court at Law  |
| <b>Hopkins</b>     | (1) | County Court at Law  |
| <b>Houston</b>     | (1) | County Court at Law  |
| <b>Hunt</b>        | (2) | County Court at Law No. 1  |
|                    |     | County Court at Law No. 2  |
| <b>Jefferson</b>   | (3) | County Court at Law No. 1  |
|                    |     | County Court at Law No. 2  |
|                    |     | County Court at Law No. 3  |
| <b>Johnson</b>     | (2) | County Court at Law No. 1  |
|                    |     | County Court at Law No. 2  |
| <b>Kaufman</b>     | (2) | County Court at Law  |
|                    |     | County Court at Law No. 2  |
| <b>Kendall</b>     | (1) | County Court at Law  |
| <b>Kerr</b>        | (1) | County Court at Law  |
| <b>Kleberg</b>     | (1) | County Court at Law  |
| <b>Lamar</b>       | (1) | County Court at Law  |
| <b>Liberty</b>     | (1) | County Court at Law  |
| <b>Lubbock</b>     | (3) | County Court at Law No. 1  |
|                    |     | County Court at Law No. 2  |
|                    |     | County Court at Law No. 3  |
| <b>McLennan</b>    | (2) | County Court at Law  |
|                    |     | County Court at Law No. 2  |
| <b>Medina</b>      | (1) | County Court at Law  |
| <b>Midland</b>     | (2) | County Court at Law  |
|                    |     | County Court at Law No. 2  |
| <b>Montgomery</b>  | (5) | County Court at Law No. 1  |
|                    |     | County Court at Law No. 2  |
|                    |     | County Court at Law No. 3  |
|                    |     | County Court at Law No. 4  |
|                    |     | County Court at Law No. 5  |
| <b>Moore</b>       | (1) | County Court at Law  |
| <b>Nacogdoches</b> | (1) | County Court at Law  |
| <b>Navarro</b>     | (1) | County Court at Law  |
|                    |     | Created effective 1/1/2011 or on an earlier date determined by Commissioners Court |
| <b>Nolan</b>       | (1) | County Court at Law  |

## SUBJECT-MATTER JURISDICTION OF THE COURTS

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|                     |      |  |
|---------------------|------|--|
| <b>Nueces</b>       | (5)  | County Court at Law No. 1<br>County Court at Law No. 2<br>County Court at Law No. 3<br>County Court at Law No. 4<br>County Court at Law No. 5  |
| <b>Orange</b>       | (2)  | County Court at Law<br>County Court at Law No. 2   |
| <b>Panola</b>       | (1)  | County Court at Law  |
| <b>Parker</b>       | (2)  | County Court at Law<br>County Court at Law No. 2   |
| <b>Polk</b>         | (1)  | County Court at Law  |
| <b>Potter</b>       | (2)  | County Court at Law No. 1<br>County Court at Law No. 2   |
| <b>Randall</b>      | (2)  | County Court at Law No. 1<br>County Court at Law No. 2   |
| <b>Reeves</b>       | (1)  | County Court at Law  |
| <b>Rockwall</b>     | (1)  | County Court at Law  |
| <b>Rusk</b>         | (1)  | County Court at Law  |
| <b>San Patricio</b> | (1)  | County Court at Law  |
| <b>Smith</b>        | (3)  | County Court at Law<br>County Court at Law No. 2<br>County Court at Law No. 3  |
| <b>Starr</b>        | (1)  | County Court at Law  |
| <b>Tarrant</b>      | (15) | County Court at Law No. 1<br>County Court at Law No. 2<br>County Court at Law No. 3<br>County Criminal Court No. 1<br>County Criminal Court No. 2<br>County Criminal Court No. 3<br>County Criminal Court No. 4<br>County Criminal Court No. 5<br>County Criminal Court No. 6<br>County Criminal Court No. 7<br>County Criminal Court No. 8<br>County Criminal Court No. 9<br>County Criminal Court No. 10<br>Probate Court No. 1<br>Probate Court No. 2 |
| <b>Taylor</b>       | (2)  | County Court at Law<br>County Court at Law No. 2   |
| <b>Tom Green</b>    | (2)  | County Court at Law<br>County Court at Law No. 2   |
| <b>Travis</b>       | (9)  | County Court at Law No. 1<br>County Court at Law No. 2<br>County Court at Law No. 3<br>County Court at Law No. 4<br>County Court at Law No. 5<br>County Court at Law No. 6<br>County Court at Law No. 7<br>County Court at Law No. 8<br>Probate Court No. 1  |
| <b>Val Verde</b>    | (1)  | County Court at Law  |
| <b>Van Zandt</b>    | (1)  | County Court at Law<br><i>Created effective 01/01/11.</i>  |
| <b>Victoria</b>     | (2)  | County Court at Law No. 1<br>County Court at Law No. 2   |
| <b>Walker</b>       | (1)  | County Court at Law  |
| <b>Waller</b>       | (1)  | County Court at Law  |
| <b>Washington</b>   | (1)  | County Court at Law  |
| <b>Webb</b>         | (2)  | County Court at Law No. 1  |

## SUBJECT-MATTER JURISDICTION OF THE COURTS

Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.

|                   |     |  |
|-------------------|-----|--|
| <b>Wichita</b>    | (2) | County Court at Law No. 2<br>County Court at Law No. 1<br>County Court at Law No. 2                              |
| <b>Wilbarger</b>  | (1) | County Court at Law<br><i>Created effective 01/01/94 but not implemented as of 10/1/2010.</i>                    |
| <b>Williamson</b> | (4) | County Court at Law No. 1<br>County Court at Law No. 2<br>County Court at Law No. 3<br>County Court at Law No. 4 |
| <b>Wise</b>       | (1) | County Court at Law  |

The judges of these statutory courts are elected in countywide, partisan elections for four-year terms. Any vacancies occurring between elections are filled by appointment of the county commissioners. The statutes creating these courts uniformly require that the persons serving as judges must be licensed to practice law in Texas.

The legal jurisdiction of the special county courts varies considerably and is determined by the specific statute that establishes the particular court. As the varied names suggest, some of these courts have subject-matter jurisdiction in only limited fields, such as civil, criminal, probate, or appellate (from justice courts or municipal courts); however, even the specialized name does not always disclose the complete function of the court. To determine the exact jurisdiction of any one of the statutory county courts, it is necessary to review the specific statute that established it.

In general, statutory county courts, which have jurisdiction to exercise civil jurisdiction concurrent with the constitutional jurisdiction of the county court, have concurrent jurisdiction with district courts in civil matters when the amount in controversy is more than \$500 but does not exceed \$100,000 and appeals of final rulings and decisions of the division of workers' compensation of TDI.

Statutory county courts also have, concurrent with the county court, the probate jurisdiction provided by general law for county courts. However, in a county that has a statutory probate court, the statutory probate court is the only statutory county court with probate jurisdiction. Other jurisdiction of a statutory county court is, broadly speaking, either carved out of the constitutional county court's regular jurisdiction or shared with it (concurrent).

**The jurisdiction of statutory county courts and their relation to the constitutional county courts take many forms. In two counties, all civil, criminal, and probate jurisdiction of the county court was transferred to the statutory county court:**

|   |                 |           |
|---|-----------------|-----------|
| County Court at Law of Nacogdoches County ..... | 26.274, 25.1762 | <b>85</b> |
| County Court at Law of Reeves County .....      | 26.295, 25.1972 |           |

**In two counties, all civil, criminal, probate and juvenile jurisdiction of the county court was transferred to the statutory county court:**

|   |                 |           |
|---|-----------------|-----------|
| County Court at Law of Aransas County ..... | 26.104, 25.0062 | <b>86</b> |
| County Court at Law of Cooke County .....   | 26.149, 25.0512 |           |

**In one county, all civil jurisdiction was transferred to one county court at law and all criminal jurisdiction was transferred to another county court at law and juvenile jurisdiction was transferred to both county courts at law:**

|  |                 |           |
|--|-----------------|-----------|
| County Court at Law No. 1 of Denton County (criminal and juvenile) ..... | 26.161, 25.0633 | <b>87</b> |
| County Court at Law No. 2 of Denton County (civil and juvenile) .....    | 26.161, 25.0633 |           |

**In one county, all civil and criminal jurisdiction of the county court was transferred to the county court at law but, if the county judge is an attorney, the county court exercises concurrent jurisdiction with the county court at law in all matters over which county courts have jurisdiction generally. If the county judge is not an attorney, the county court exercises concurrent jurisdiction with the county court at law only in probate and mental health matters:**

|   |                 |           |
|---|-----------------|-----------|
| County Court at Law of Bastrop County ..... | 26.111, 25.0132 | <b>88</b> |
|---|-----------------|-----------|

## SUBJECT-MATTER JURISDICTION OF THE COURTS

*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

**All civil and criminal jurisdiction of the county court was transferred to the following ten county courts at law and the courts have concurrent jurisdiction in probate matters:**

|   |                 |           |
|---|-----------------|-----------|
| County Court at Law No. 1 of Cameron County ..... | 26.131, 25.0332 | <b>89</b> |
| County Court at Law No. 2 of Cameron County ..... | 26.131, 25.0332 |           |
| County Court at Law No. 3 of Cameron County ..... | 26.131, 25.0332 |           |
| County Court at Law No. 1 of Nueces County .....  | 26.278, 25.1802 |           |
| County Court at Law No. 2 of Nueces County .....  | 26.278, 25.1802 |           |
| County Court at Law No. 3 of Nueces County .....  | 26.278, 25.1802 |           |
| County Court at Law No. 4 of Nueces County .....  | 26.278, 25.1802 |           |
| County Court at Law No. 5 of Nueces County .....  | 26.278, 25.1802 |           |
| County Court at Law of Waller County .....        | 26.237, 25.2392 |           |
| County Court at Law of Washington County .....    | 26.339, 25.2412 |           |

**One county court at law had transferred to it all civil and criminal jurisdiction of the county court and the courts have concurrent jurisdiction in probate matters, and the county court at law is instructed to give preference to criminal cases:**

|   |                 |           |
|---|-----------------|-----------|
| County Court at Law No. 3 of Jefferson County ..... | 25.1252; 26.223 | <b>90</b> |
|---|-----------------|-----------|

**Five county courts at law exercise concurrent jurisdiction with at least one of the district courts in the county in all civil and criminal matters that had earlier been transferred from the county court to the district court. The county court at law and county court have concurrent probate jurisdiction:**

|   |                         |           |
|---|-------------------------|-----------|
| County Court at Law of Bowie County .....       | 24.105, 25.0212, 26.119 | <b>91</b> |
| County Court at Law No. 1 of Comal County ..... | 24.123, 25.0482, 26.146 |           |
| County Court at Law No. 2 of Comal County ..... | 24.123, 25.0482, 26.146 |           |
| County Court at Law No. 1 of Webb County .....  | 24.151, 25.2422, 26.340 |           |
| County Court at Law No. 2 of Webb County .....  | 24.151, 25.2422, 26.340 |           |

**One county court at law exercises concurrent jurisdiction with the district court in the county in all civil and criminal matters that had earlier been transferred from the county court to the district court. The county court at law and county court have concurrent jurisdiction to accept guilty pleas in misdemeanor cases and concurrent probate jurisdiction:**

|  |                         |           |
|--|-------------------------|-----------|
| County Court at Law of Cass County ..... | 24.105, 25.0362, 26.134 | <b>92</b> |
|--|-------------------------|-----------|

**All civil and criminal jurisdiction of the county court, except probate and juvenile, was transferred to the following eighteen county courts at law:**

|   |                 |           |
|---|-----------------|-----------|
| County Court at Law No. 2 of Bexar County .....     | 25.0172, 26.115 | <b>93</b> |
| County Court at Law No. 3 of Bexar County .....     | 25.0172, 26.115 |           |
| County Court at Law No. 5 of Bexar County .....     | 25.0172, 26.115 |           |
| County Court at Law No. 7 of Bexar County .....     | 25.0172, 26.115 |           |
| County Court at Law No. 8 of Bexar County .....     | 25.0172, 26.115 |           |
| County Court at Law No. 9 of Bexar County .....     | 25.0172, 26.115 |           |
| County Court at Law No. 14 of Bexar County .....    | 25.0171-25.0172 |           |
| County Court at Law No. 15 of Bexar County .....    | 25.0171-25.0172 |           |
| County Court at Law No. 1 of El Paso County .....   | 26.171, 25.0732 |           |
| County Court at Law No. 2 of El Paso County .....   | 26.171, 25.0732 |           |
| County Court at Law No. 3 of El Paso County .....   | 26.171, 25.0732 |           |
| County Court at Law No. 4 of El Paso County .....   | 26.171, 25.0732 |           |
| County Court at Law No. 5 of El Paso County .....   | 26.171, 25.0732 |           |
| County Court at Law No. 6 of El Paso County .....   | 26.171, 25.0732 |           |
| County Court at Law No. 7 of El Paso County .....   | 26.171, 25.0732 |           |
| County Criminal Court No. 1 of El Paso County ..... | 26.171, 25.0732 |           |
| County Criminal Court No. 2 of El Paso County ..... | 26.171, 25.0732 |           |
| County Criminal Court No. 3 of El Paso County ..... | 26.171, 25.0732 |           |
| County Criminal Court No. 4 of El Paso County ..... | 26.171, 25.0732 |           |
| County Court at Law No. 1 of Tarrant County .....   | 26.320, 25.2222 |           |

## SUBJECT-MATTER JURISDICTION OF THE COURTS

Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.

### All civil and criminal jurisdiction of the county court, except probate, was transferred to the following 19 county courts at law:

|   |                          |    |
|---|--------------------------|----|
| County Court at Law No. 1 of Collin County .....  | 26.143, 25.0452          | 94 |
| County Court at Law No. 2 of Collin County .....  | 26.143, 25.0452          |    |
| County Court at Law No. 3 of Collin County .....  | 26.143, 25.0452          |    |
| County Court at Law No. 4 of Collin County .....  | 26.143, 25.0452          |    |
| County Court at Law No. 5 of Collin County .....  | 26.143, 25.0452          |    |
| County Court at Law No. 6 of Collin County .....  | 26.143, 25.0452          |    |
| County Court at Law No. 1 of Hidalgo County ..... | 26.208, 25.1102          |    |
| County Court at Law No. 2 of Hidalgo County ..... | 26.208, 25.1102          |    |
| County Court at Law No. 4 of Hidalgo County ..... | 26.208, 25.1102          |    |
| County Court at Law No. 5 of Hidalgo County ..... | 26.208, 25.1102          |    |
| County Court at Law No. 6 of Hidalgo County ..... | 26.208, 25.1102          |    |
| County Court at Law No. 7 of Hidalgo County ..... | 25.1101-25.1102; 25.0003 |    |
| Created effective 9/1/2011                        |                          |    |
| County Court at Law No. 8 of Hidalgo County ..... | 25.1101-25.1102; 25.0003 |    |
| Created effective 9/1/2012                        |                          |    |
| County Court at Law No. 1 of Travis County .....  | 26.327, 25.2292          |    |
| County Court at Law No. 2 of Travis County .....  | 26.327, 25.2292          |    |
| County Court at Law No. 3 of Travis County .....  | 26.327, 25.2292          |    |
| County Court at Law No. 4 of Travis County .....  | 26.327, 25.2292          |    |
| County Court at Law No. 5 of Travis County .....  | 26.327, 25.2292          |    |
| County Court at Law No. 6 of Travis County .....  | 26.327, 25.2292          |    |
| County Court at Law No. 7 of Travis County .....  | 26.327, 25.2292          |    |
| County Court at Law No. 8 of Travis County .....  | 26.327, 25.2292          |    |

### Twelve county courts at law had transferred to them all civil and criminal jurisdiction of the county court, except juvenile, and the courts have concurrent jurisdiction in probate matters:

|   |                  |    |
|---|------------------|----|
| County Court at Law No. 1 of Brazos County .....    | 26.121, 25.0232  | 95 |
| County Court at Law No. 2 of Brazos County .....    | 26.121, 25.0232  |    |
| County Court at Law of Grayson County .....         | 26.191, 25.0932  |    |
| County Court at Law No. 2 of Grayson County .....   | 26.191, 25.0932  |    |
| County Court at Law No. 1 of Jefferson County ..... | 26.223, 25.252   |    |
| County Court at Law No. 2 of Jefferson County ..... | 26.223, 25.252   |    |
| County Court at Law No. 1 of Lubbock County .....   | 26.252, 25.1542  |    |
| County Court at Law No. 2 of Lubbock County .....   | 26.252, 25.15428 |    |
| County Court at Law No. 3 of Lubbock County .....   | 26.252, 25.1542  |    |
| County Court at Law of Taylor County .....          | 26.321, 25.2232  |    |
| County Court at Law No. 2 of Taylor County .....    | 26.321, 25.2232  |    |
| County Court at Law of Walker County .....          | 26.336, 25.2382  |    |

### Four county courts at law had transferred to them all civil and criminal jurisdiction of the county court, except probate, and the county courts at law were instructed to give preference to criminal matters and appeals *de novo* from municipal and justice courts:

|  |                 |    |
|--|-----------------|----|
| County Court at Law No. 4 of Bexar County .....  | 25.0172, 26.115 | 96 |
| County Court at Law No. 6 of Bexar County .....  | 25.0172, 26.115 |    |
| County Court at Law No. 11 of Bexar County ..... | 25.0172, 26.115 |    |
| County Court at Law No. 12 of Bexar County ..... | 25.0172, 26.115 |    |

### One county court at law had transferred to it all civil and criminal jurisdiction of the county court, except probate and juvenile, and the county court at law was instructed to give preference to criminal cases:

|   |                 |    |
|---|-----------------|----|
| County Court at Law No. 1 of Bexar County ..... | 25.0172, 26.115 | 97 |
|---|-----------------|----|

### One county court at law had transferred to it all civil and criminal jurisdiction of the county court, except probate, and the county court at law was instructed to give preference to civil cases:

|  |                 |    |
|--|-----------------|----|
| County Court at Law No. 10 of Bexar County ..... | 25.0172, 26.115 | 98 |
|--|-----------------|----|

### One county court at law had transferred to it-- in addition to its general statutory county court jurisdiction,

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**except probate-- all civil and criminal jurisdiction of the county court and the county court at law was instructed to give preference to family violence and assault cases under Chapter 71, Texas Family Code, and Section 25.07, Texas Penal Code.**

County Court at Law No. 13 of Bexar County .....25.0171-25.0172 **99**

**One county court at law had transferred to it all civil and criminal jurisdiction of the county court, except probate, and the county court at law was instructed to give preference to family law cases and proceedings:**

County Court at Law No. 6 of Hidalgo County ..... 25.1102, 26.208 **100**

**All civil jurisdiction of the county court, except probate, was transferred to two statutory county courts:**

County Court at Law No. 2 of Tarrant County ..... 25.2222, 26.201 **101**  
County Court at Law No. 3 of Tarrant County ..... 25.2222, 26.201

**Two county courts at law have concurrent jurisdiction with the district court in the civil jurisdiction that was transferred from the county court, and the statutory county courts have concurrent jurisdiction with the constitutional county court in probate, juvenile and criminal matters (in addition, if the county judge has the qualifications of a district judge and is designated as the judge of the juvenile court, the county court has jurisdiction over cases involving child neglect and dependency proceedings):**

County Court at Law No. 1 of Wichita County ..... 26.321, 25.2232 **102**  
County Court at Law No. 2 of Wichita County ..... 26.121, 25.02321033

**Eighty-six county courts at law have concurrent jurisdiction with the constitutional county court in all matters over which the constitutional county court normally has jurisdiction:**

County Court at Law of Anderson County ..... 25.0042 **103**  
County Court at Law No. 1 of Angelina County ..... 25.0052  
County Court at Law No. 2 of Angelina County ..... 25.0052  
County Court at Law of Austin County ..... 25.0102  
County Court at Law of Bee County ..... 25.0152  
*Effective 01/01/00 but not implemented as of 10/1/10*  
County Court at Law No. 1 of Bell County ..... 25.0162  
County Court at Law No. 2 of Bell County ..... 25.0162  
County Court at Law No. 3 of Bell County ..... 25.0162  
County Court at Law of Brown County ..... 25.0272  
County Court at Law of Burnet County ..... 25.0292  
County Court at Law of Caldwell County ..... 25.0302  
County Court at Law of Calhoun County ..... 25.0312  
County Court at Law of Cherokee County ..... 25.0392  
County Court at Law of Coryell County ..... 25.0522  
County Court at Law of Ector County ..... 25.0702  
County Court at Law No. 2 of Ector County ..... 25.0702  
County Court at Law of Ellis County ..... 25.0722  
County Court at Law No. 2 of Ellis County ..... 25.0722 **103**  
County Court at Law of Erath County ..... 25.0742  
County Court at Law No. 1 of Fort Bend County ..... 25.0812  
County Court at Law No. 2 of Fort Bend County ..... 25.0812  
County Court at Law No. 3 of Fort Bend County ..... 25.0812  
County Court at Law No. 4 of Fort Bend County ..... 25.0812  
County Court at Law of Gregg County ..... 25.0942  
County Court at Law No. 2 of Gregg County ..... 25.0942  
County Court at Law of Guadalupe County ..... 25.0962  
County Court at Law No. 2 of Guadalupe County ..... 25.0962  
County Court at Law of Harrison County ..... 25.1042  
County Court at Law No. 1 of Hays County ..... 25.1072  
County Court at Law No. 2 of Hays County ..... 25.1072  
County Court at Law of Henderson County ..... 25.1092  
County Court at Law No. 2 of Henderson County ..... 25.1092  
County Court at Law of Hopkins County ..... 25.1142

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|   |         |     |
|---|---------|-----|
| County Court at Law of Houston County .....                   | 25.1152 |     |
| County Court at Law No. 1 of Hunt County .....                | 25.1182 | 103 |
| County Court at Law No. 2 of Hunt County .....                | 25.1182 |     |
| County Court at Law No. 1 of Johnson County .....             | 25.1282 |     |
| County Court at Law No. 2 of Johnson County .....             | 25.1282 |     |
| County Court at Law of Kaufman County .....                   | 25.1312 |     |
| County Court at Law No. 2 of Kaufman County .....             | 25.1312 |     |
| County Court at Law of Kendall County .....                   | 25.1322 |     |
| County Court at Law of Kerr County .....                      | 25.1352 |     |
| County Court at Law of Kleberg County .....                   | 25.1392 |     |
| County Court at Law of Lamar County .....                     | 25.1412 |     |
| County Court at Law of Liberty County .....                   | 25.1482 |     |
| County Court at Law of McLennan County .....                  | 25.1572 |     |
| County Court at Law No. 2 of McLennan County .....            | 25.1572 |     |
| County Court at Law of Medina County .....                    | 25.1652 |     |
| County Court at Law of Midland County .....                   | 25.1672 |     |
| County Court at Law No. 2 of Midland County .....             | 25.1672 |     |
| County Court at Law No. 1 of Montgomery County .....          | 25.1722 |     |
| County Court at Law No. 2 of Montgomery County .....          | 25.1722 |     |
| County Court at Law No. 3 of Montgomery County .....          | 25.1722 |     |
| County Court at Law No. 4 of Montgomery County .....          | 25.1722 |     |
| County Court at Law No. 5 of Montgomery County .....          | 25.1722 |     |
| County Court at Law of Moore County .....                     | 25.1732 |     |
| County Court at Law of Nolan County .....                     | 25.1792 |     |
| County Court at Law of Orange County .....                    | 25.1832 |     |
| County Court at Law No. 2 of Orange County .....              | 25.1092 |     |
| County Court at Law of Panola County .....                    | 25.1852 |     |
| County Court at Law of Parker County .....                    | 25.1862 |     |
| County Court at Law No. 2 of Parker County .....              | 25.1862 |     |
| County Court at Law of Polk County .....                      | 25.1892 | 103 |
| County Court at Law No. 1 of Potter County .....              | 25.1902 |     |
| County Court at Law No. 2 of Potter County .....              | 25.1902 |     |
| County Court at Law No. 1 of Randall County .....             | 25.1932 |     |
| County Court at Law No. 2 of Randall County .....             | 25.1932 |     |
| County Court at Law of Rockwall County .....                  | 25.2012 |     |
| County Court at Law of Rusk County .....                      | 25.2032 |     |
| County Court at Law of San Patricio County .....              | 25.2072 |     |
| County Court at Law of Smith County .....                     | 25.2142 |     |
| County Court at Law No. 2 of Smith County .....               | 25.2142 |     |
| County Court at Law No. 3 of Smith County .....               | 25.2142 |     |
| County Court at Law of Starr County .....                     | 25.2162 |     |
| County Court at Law of Tom Green County .....                 | 25.2282 |     |
| County Court at Law No. 2 of Tom Green County .....           | 25.2282 |     |
| County Court at Law of Val Verde County .....                 | 25.2352 |     |
| County Court at Law of Van Zandt County .....                 | 25.2361 |     |
| <i>Effective 01/01/11.</i>                                    |         |     |
| County Court at Law of Victoria County .....                  | 25.2372 |     |
| County Court at Law No. 2 of Victoria County .....            | 25.2372 |     |
| County Court at Law of Wilbarger County .....                 | 25.2462 |     |
| <i>Effective 01/01/94 but not implemented as of 10/1/2010</i> |         |     |
| County Court at Law No. 1 of Williamson County .....          | 25.2482 |     |
| County Court at Law No. 2 of Williamson County .....          | 25.2482 |     |
| County Court at Law No. 3 of Williamson County .....          | 25.2482 |     |
| County Court at Law No. 4 of Williamson County .....          | 25.2482 |     |
| County Court at Law of Wise County .....                      | 25.2512 |     |

**Four statutory county courts exercise concurrent jurisdiction with the county court in all matters, but give preference to cases in which the court's jurisdiction is concurrent with the county court:**

|  |         |     |
|--|---------|-----|
| County Court at Law No. 1 and Probate Court of Brazoria County ..... | 25.0222 |     |
| County Court at Law No. 2 and Probate Court of Brazoria County ..... | 25.0222 | 104 |

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County Court at Law No. 3 and Probate Court of Brazoria County ..... 25.0222

County Court at Law No. 4 and Probate Court of Brazoria County ..... 25.0222

*(Note: Brazoria County Court at Law and Probate Courts Nos. 1, 2, 3 and 4 are not statutory probate courts as that term is defined by Section 3 of the Probate Code.)*

### **Twenty-two statutory county courts exercise concurrent jurisdiction with the county court in all matters except probate:**

|  |                 |            |
|--|-----------------|------------|
| County Court at Law No. 1 of Galveston County .....        | 25.0862         | <b>105</b> |
| County Court at Law No. 2 of Galveston County .....        | 25.0862         |            |
| County Court at Law No. 3 of Galveston County .....        | 25.0862         |            |
| County Civil Court at Law No. 1 of Harris County .....     | 25.1032, 26.201 |            |
| County Civil Court at Law No. 2 of Harris County .....     | 25.1032, 26.201 |            |
| County Civil Court at Law No. 3 of Harris County .....     | 25.1032, 26.201 |            |
| County Civil Court at Law No. 4 of Harris County .....     | 25.1032, 26.201 |            |
| County Criminal Court at Law No. 1 of Harris County .....  | 25.1033         |            |
| County Criminal Court at Law No. 2 of Harris County .....  | 25.1033         |            |
| County Criminal Court at Law No. 3 of Harris County .....  | 25.1033         |            |
| County Criminal Court at Law No. 4 of Harris County .....  | 25.1033         |            |
| County Criminal Court at Law No. 5 of Harris County .....  | 25.1033         |            |
| County Criminal Court at Law No. 6 of Harris County .....  | 25.1033         |            |
| County Criminal Court at Law No. 7 of Harris County .....  | 25.1033         |            |
| County Criminal Court at Law No. 8 of Harris County .....  | 25.1033         |            |
| County Criminal Court at Law No. 9 of Harris County .....  | 25.1033         |            |
| County Criminal Court at Law No. 10 of Harris County ..... | 25.1033         |            |
| County Criminal Court at Law No. 11 of Harris County ..... | 25.1033         |            |
| County Criminal Court at Law No. 12 of Harris County ..... | 25.1033         |            |
| County Criminal Court at Law No. 13 of Harris County ..... | 25.1033         |            |
| County Criminal Court at Law No. 14 of Harris County ..... | 25.1033         |            |
| County Criminal Court at Law No. 15 of Harris County ..... | 25.1033         |            |

### **One statutory county court exercises concurrent jurisdiction with the county court in all matters except probate other than contested probate and guardianship matters under Secs. 5(b) and 606(b) of the Probate Code:**

|  |         |            |
|--|---------|------------|
| County Court at Law of Hood County ..... | 25.1132 | <b>106</b> |
|--|---------|------------|

### **One statutory probate court exercises concurrent jurisdiction with the county court in probate matters and in matters arising under Subtitle C or D, Title 7, Health and Safety Code and other enumerated provisions of the Health and Safety Code:**

|  |         |            |
|--|---------|------------|
| Probate Court No. 1 of Travis County ..... | 25.2293 | <b>107</b> |
|--|---------|------------|

### **Four statutory probate courts have concurrent jurisdiction with the county court in probate matters and are to have primary responsibility for mental illness proceedings:**

|   |         |            |
|---|---------|------------|
| Probate Court No. 1 of Bexar County .....   | 25.0173 | <b>108</b> |
| Probate Court No. 3 of Dallas County .....  | 25.0595 |            |
| Probate Court No. 3 of Harris County .....  | 25.1034 |            |
| Probate Court No. 2 of El Paso County ..... | 25.0731 |            |

### **Some statutory county courts have been created to handle criminal cases only. All criminal jurisdiction of the county court was transferred to five of these statutory county courts:**

|  |                 |            |
|--|-----------------|------------|
| County Criminal Court No. 1 of Denton County ..... | 26.161, 25.0634 | <b>109</b> |
| County Criminal Court No. 2 of Denton County ..... | 26.161, 25.0634 |            |
| County Criminal Court No. 3 of Denton County ..... | 26.161, 25.0634 |            |
| County Criminal Court No. 4 of Denton County ..... | 26.161, 25.0634 |            |
| County Criminal Court No. 5 of Denton County ..... | 26.161, 25.0634 |            |

### **Criminal jurisdiction was transferred from the constitutional county court, and the following 10 statutory county courts have concurrent jurisdiction with the criminal district courts in the county in criminal matters over which the constitutional county court normally has jurisdiction:**

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|  |                 |     |
|--|-----------------|-----|
| County Criminal Court No. 1 of Tarrant County .....  | 26.320, 25.2223 | 110 |
| County Criminal Court No. 2 of Tarrant County .....  | 26.320, 25.2223 |     |
| County Criminal Court No. 3 of Tarrant County .....  | 26.320, 25.2223 |     |
| County Criminal Court No. 4 of Tarrant County .....  | 26.320, 25.2223 |     |
| County Criminal Court No. 5 of Tarrant County .....  | 26.320, 25.2223 |     |
| County Criminal Court No. 6 of Tarrant County .....  | 26.320, 25.2223 |     |
| County Criminal Court No. 7 of Tarrant County .....  | 26.320, 25.2223 |     |
| County Criminal Court No. 8 of Tarrant County .....  | 26.320, 25.2223 |     |
| County Criminal Court No. 9 of Tarrant County .....  | 26.320, 25.2223 |     |
| County Criminal Court No. 10 of Tarrant County ..... | 26.320, 25.2223 |     |

**All criminal jurisdiction was transferred from the constitutional county court, other than cases alleging a violation of Sec. 25.093 or 25.094, Education Code, and the following eleven statutory county courts have concurrent jurisdiction with certain district and criminal district courts in the county in criminal matters over which the constitutional county court normally has jurisdiction:**

|   |                         |     |
|---|-------------------------|-----|
| County Criminal Court of Dallas County .....        | 26.045, 26.157, 25.0593 | 111 |
| County Criminal Court No. 2 of Dallas County .....  | 26.045, 26.157, 25.0593 |     |
| County Criminal Court No. 3 of Dallas County .....  | 26.045, 26.157, 25.0593 |     |
| County Criminal Court No. 4 of Dallas County .....  | 26.045, 26.157, 25.0593 |     |
| County Criminal Court No. 5 of Dallas County .....  | 26.045, 26.157, 25.0593 |     |
| County Criminal Court No. 6 of Dallas County .....  | 26.045, 26.157, 25.0593 |     |
| County Criminal Court No. 7 of Dallas County .....  | 26.045, 26.157, 25.0593 |     |
| County Criminal Court No. 8 of Dallas County .....  | 26.045, 26.157, 25.0593 |     |
| County Criminal Court No. 9 of Dallas County .....  | 26.045, 26.157, 25.0593 |     |
| County Criminal Court No. 10 of Dallas County ..... | 26.045, 26.157, 25.0593 |     |
| County Criminal Court No. 11 of Dallas County ..... | 26.045, 26.157, 25.0593 |     |

**Two statutory county courts have sole jurisdiction of appeals of certain criminal cases from justice of the peace and municipal courts:**

|   |                 |     |
|---|-----------------|-----|
| County Criminal Court of Appeals of Dallas County .....       | 26.157, 25.0594 | 112 |
| County Criminal Court of Appeals No. 2 of Dallas County ..... | 26.157, 25.0594 |     |

**Two statutory county courts have been instructed to give preference to cases involving family violence:**

|   |         |     |
|---|---------|-----|
| County Criminal Court No. 5 of Tarrant County ..... | 25.2223 | 113 |
| County Court at Law No. 4 of Travis County .....    | 25.2292 |     |

### JUSTICE OF THE PEACE COURTS

The position of justice of the peace was established by the Constitution of the Republic which provided for a "convenient number of "Justices of the Peace" to be elected by the qualified voters of each county, for terms of two years. This office has been retained in all subsequent constitutions, although the jurisdiction of these courts has been severely restricted in later constitutions.

The justice of the peace is important in the capacity as a committing magistrate, with the authority to issue warrants for the apprehension and arrest of persons charged with the commission of both felony and misdemeanor offenses. As a magistrate, the justice of the peace may hold preliminary hearings, reduce testimony to writing, discharge the accused, or remand the accused to jail and set bail. In addition, the justice of the peace serves as the coroner in those counties where there is no provision for a medical examiner, serves as an *ex officio* notary public, and may perform marriage ceremonies.

As amended in November 1983, the Texas Constitution provides that each county is to be divided, according to population, into at least one, and not more than eight, justice precincts, in each of which is to be elected one or more justices of the peace. Approximately 821 justice of the peace courts are in operation today.

Justices of the peace are elected by the voters of the respective precincts of the county in partisan elections for four-year terms of office. There are no constitutional or statutory qualifications to hold this office and only about seven percent of the justices of the peace in the State are lawyers.

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Justice of the peace courts have original jurisdiction in misdemeanor criminal cases where punishment upon conviction may be by fine only. These courts generally have exclusive jurisdiction of civil matters when the amount in controversy does not exceed \$200, and concurrent jurisdiction with the county courts when the amount in controversy exceeds \$200 but does not exceed \$10,000. Justice of the peace courts also have jurisdiction over forcible entry and detainer cases and function as small claims courts. Trials in justice of the peace courts are not of record. Appeals from these courts are upon trial *de novo* in the county court, the county court at law, or the district court.

**In thirty-six counties, the county court, by special statute, has been given concurrent jurisdiction with the justice of the peace courts in that county in all civil matters over which the justice of the peace courts have jurisdiction:**

|                            |        |     |
|----------------------------|--------|-----|
| Armstrong County .....     | 26.106 | 114 |
| Atascosa County .....      | 26.107 |     |
| Bailey County .....        | 26.109 |     |
| Bee County .....           | 26.113 |     |
| Burleson County .....      | 26.126 |     |
| Cochran County .....       | 26.140 |     |
| Collingsworth County ..... | 26.144 |     |
| Colorado County .....      | 26.145 |     |
| Crosby County .....        | 26.154 |     |
| Dawson County .....        | 26.158 |     |
| Deaf Smith County .....    | 26.159 |     |
| Dickens County .....       | 26.163 |     |
| Fisher County .....        | 26.176 |     |
| Gaines County .....        | 26.183 |     |
| Garza County .....         | 26.185 |     |
| Goliad County .....        | 26.188 |     |
| Gonzales County .....      | 26.189 |     |
| Haskell County .....       | 26.204 |     |
| Hemphill County .....      | 26.206 |     |
| Hockley County .....       | 26.210 |     |
| Karnes County .....        | 26.228 | 114 |
| Kent County .....          | 26.232 |     |
| Lamb County .....          | 26.240 |     |
| Lee County .....           | 26.244 |     |
| Lynn County .....          | 26.253 |     |
| McMullen County .....      | 26.256 |     |
| Mitchell County .....      | 26.268 |     |
| Parmer County .....        | 26.285 |     |
| Randall County .....       | 26.291 |     |
| Reagan County .....        | 26.292 |     |
| Scurry County .....        | 26.308 |     |
| Starr County .....         | 26.314 |     |
| Stonewall County .....     | 26.317 |     |
| Terry County .....         | 26.323 |     |
| Wheeler County .....       | 26.342 |     |
| Yoakum County .....        | 26.351 |     |

**The county court in eight counties has been given concurrent jurisdiction with the justice of the peace courts in both civil and criminal matters normally in the justice of the peace courts:**

|                         |        |     |
|-------------------------|--------|-----|
| Blanco County .....     | 26.116 | 115 |
| Edwards County .....    | 26.169 |     |
| Gillespie County .....  | 26.186 |     |
| Irion County .....      | 26.218 |     |
| Kimble County .....     | 26.234 |     |
| Menard County .....     | 26.264 |     |
| Schleicher County ..... | 26.307 |     |
| Sterling County .....   | 26.316 |     |

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### **In one county, the county courts at law have been given concurrent jurisdiction with the justice of the peace courts in civil matters prescribed by law for justice of the peace courts:**

|  |         |            |
|--|---------|------------|
| County Court at Law No. 1 of Potter County ..... | 25.1902 | <b>116</b> |
| County Court at Law No. 2 of Potter County ..... | 25.1902 |            |

### **In five counties, the county courts at law have been given concurrent jurisdiction with the justice of the peace courts in criminal matters prescribed by law for justice of the peace courts:**

|   |         |            |
|---|---------|------------|
| County Court at Law of Bee County .....                     | 25.0152 | <b>117</b> |
| <i>Effective 01/01/00 but not implemented as of 10/1/10</i> |         |            |
| County Court at Law of Nolan County .....                   | 25.1792 |            |
| County Court at Law of Panola County .....                  | 25.1852 |            |
| County Court at Law of Wilbarger County .....               | 25.2462 |            |
| <i>Effective 01/01/94 but not implemented as of 10/1/10</i> |         |            |
| County Court at Law No. 1 of Williamson County .....        | 25.2482 |            |
| County Court at Law No. 2 of Williamson County .....        | 25.2482 |            |
| County Court at Law No. 3 of Williamson County .....        | 25.2482 |            |
| County Court at Law No. 4 of Williamson County .....        | 25.2482 |            |

### **In three counties, the county courts at law have been given concurrent jurisdiction with the justice of the peace courts in both civil and criminal cases over which the justice of the peace courts normally have jurisdiction:**

|   |         |            |
|---|---------|------------|
| County Court at Law of Grayson County .....       | 25.0932 | <b>118</b> |
| County Court at Law No. 2 of Grayson County ..... | 25.0932 |            |
| County Court at Law No. 1 of Lubbock County ..... | 25.1542 |            |
| County Court at Law No. 2 of Lubbock County ..... | 25.1542 |            |
| County Court at Law No. 3 of Lubbock County ..... | 25.1542 |            |
| County Court at Law No. 1 of Nueces County .....  | 25.1802 |            |
| County Court at Law No. 2 of Nueces County .....  | 25.1802 |            |
| County Court at Law No. 3 of Nueces County .....  | 25.0932 |            |
| County Court at Law No. 4 of Nueces County .....  | 25.1802 |            |
| County Court at Law No. 5 of Nueces County .....  | 25.1802 |            |

## MUNICIPAL COURTS

Under its constitutional authority to create "...such other courts as may be provided by law," the Texas Legislature has created municipal courts in each incorporated city of the State. In lieu of a municipal court created by the Legislature, municipalities may choose to establish municipal courts of record. Presently, municipal courts are operating in approximately 917 cities. Metropolitan cities usually have more than one municipal court.

Municipal courts have no appellate jurisdiction, but do have original and exclusive jurisdiction over criminal violations of city ordinances and resolutions, rules or orders of joint boards that operate airports under Section 22.074, Transportation Code and are punishable by a fine not to exceed: 1) \$2,000 in cases arising under municipal ordinances or airport board resolutions, rules or orders that govern litter, fire safety, zoning, public health, and sanitation; or 2) \$500 in all other cases arising under a municipal ordinance or airport board resolution, rule or order. The municipal courts also have concurrent jurisdiction with justice courts in misdemeanor cases resulting from violations of state laws occurring within the city limits when punishment upon conviction is limited to a fine or the case arises under Ch. 106 of the Alcoholic Beverage Code relating to minors and does not include confinement as an authorized sanction. Municipal courts also have jurisdiction in the forfeiture and final judgment of all bail bonds and personal bonds taken in criminal cases of which the court has jurisdiction.

In addition to the jurisdiction discussed above, municipal courts of record also have jurisdiction over criminal cases arising under ordinances authorized by certain provisions of the Local Government Code. The governing body may also provide by ordinance that a municipal court of record has civil jurisdiction to enforce certain ordinances enacted under the Local Government Code, concurrent jurisdiction with the district and statutory county courts within the municipality's territorial limits and on property owned by the municipality for the purpose of enforcing health, safety and nuisance abatement ordinances, and the authority to issue certain search and seizure warrants.

## **SUBJECT-MATTER JURISDICTION OF THE COURTS**

*Citations are to the Texas Government Code unless otherwise indicated. Index to reference numbers is found in the Index to Subject Matter Jurisdiction.*

Municipal judges also serve as magistrates of the State. In this capacity, the municipal judge has authority to issue warrants for the apprehension and arrest of persons charged with the commission of public offenses, both felonies and misdemeanors. As a magistrate, the municipal judge may issue search and arrest warrants, hold preliminary hearings, reduce testimony to writing, discharge an accused, or remand the accused to jail and set bail.

Trials in the municipal courts, generally, are not of record, and appeals go to the county court, the county court at law, or the district court upon trial *de novo*. In municipal courts of record, a formal record and transcript are made of the proceedings in the trial and appeals of these cases are made on the record perfected in the court. These appeals are generally heard in the county criminal courts, county criminal courts of appeal or municipal courts of appeal. If none of these courts exist in the county or municipality, appeals are to county courts at law.

The statutes creating municipal courts of record require the judge to be licensed to practice law in this State. No such provision is required of the other municipal judges, and of the approximately 1,414 municipal judges in this State, about 52 percent presently are licensed as attorneys.

Selection and terms of office of municipal court judges vary from city to city. While in a few cities, municipal judges are elected at city elections, the vast number are appointed by the governing body of the city. Terms of office are usually two years.

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